

S-5155

1 Amend House File 2578, as amended, passed, and reprinted by
2 the House, as follows:

3 1. By striking everything after the enacting clause and
4 inserting:

5 <DIVISION I

6 DEPARTMENT ON AGING — FY 2022-2023

7 Section 1. DEPARTMENT ON AGING. There is appropriated from
8 the general fund of the state to the department on aging for
9 the fiscal year beginning July 1, 2022, and ending June 30,
10 2023, the following amount, or so much thereof as is necessary,
11 to be used for the purposes designated:

12 For aging programs for the department on aging and area
13 agencies on aging to provide citizens of Iowa who are 60
14 years of age and older with case management, Iowa's aging and
15 disabilities resource center, and other services which may
16 include but are not limited to adult day, respite care, chore,
17 information and assistance, and material aid, for information
18 and options counseling for persons with disabilities who
19 are 18 years of age or older, and for salaries, support,
20 administration, maintenance, and miscellaneous purposes, and
21 for not more than the following full-time equivalent positions:

22	\$ 11,304,082
23	FTEs 27.00

24 1. Funds appropriated in this section may be used to
25 supplement federal funds under federal regulations. To
26 receive funds appropriated in this section, a local area
27 agency on aging shall match the funds with moneys from other
28 sources according to rules adopted by the department. Funds
29 appropriated in this section may be used for elderly services
30 not specifically enumerated in this section only if approved
31 by an area agency on aging for provision of the service within
32 the area.

33 2. Of the funds appropriated in this section, \$418,700 is
34 transferred to the economic development authority for the Iowa
35 commission on volunteer services to be used for the retired and

1 senior volunteer program.

2 3. a. The department on aging shall establish and enforce
3 procedures relating to expenditure of state and federal funds
4 by area agencies on aging that require compliance with both
5 state and federal laws, rules, and regulations, including but
6 not limited to all of the following:

7 (1) Requiring that expenditures are incurred only for goods
8 or services received or performed prior to the end of the
9 fiscal period designated for use of the funds.

10 (2) Prohibiting prepayment for goods or services not
11 received or performed prior to the end of the fiscal period
12 designated for use of the funds.

13 (3) Prohibiting prepayment for goods or services not
14 defined specifically by good or service, time period, or
15 recipient.

16 (4) Prohibiting the establishment of accounts from which
17 future goods or services which are not defined specifically by
18 good or service, time period, or recipient, may be purchased.

19 b. The procedures shall provide that if any funds are
20 expended in a manner that is not in compliance with the
21 procedures and applicable federal and state laws, rules, and
22 regulations, and are subsequently subject to repayment, the
23 area agency on aging expending such funds in contravention of
24 such procedures, laws, rules and regulations, not the state,
25 shall be liable for such repayment.

26 4. Of the funds appropriated in this section, \$812,000 shall
27 be used for the purposes of [chapter 231E](#) and to administer
28 the prevention of elder abuse, neglect, and exploitation
29 program pursuant to [section 231.56A](#), in accordance with the
30 requirements of the federal Older Americans Act of 1965, 42
31 U.S.C. §3001 et seq., as amended.

32 5. Of the funds appropriated in this section, \$1,000,000
33 shall be used to fund continuation of the aging and disability
34 resource center lifelong links to provide individuals and
35 caregivers with information and services to plan for and

1 maintain independence.

2 6. Of the funds appropriated in this section, \$850,000
3 shall be used by the department on aging, in collaboration with
4 the department of human services and affected stakeholders,
5 to continue to expand the pilot initiative to provide
6 long-term care options counseling utilizing support planning
7 protocols, to assist non-Medicaid eligible consumers who
8 indicate a preference to return to the community and are
9 deemed appropriate for discharge, to return to their community
10 following a nursing facility stay; and shall be used by the
11 department on aging to fund home and community-based services
12 to enable older individuals to avoid more costly utilization
13 of residential or institutional services and remain in their
14 homes. The department on aging shall submit a report regarding
15 the outcomes of the pilot initiative to the governor and the
16 general assembly by December 15, 2022.

17 DIVISION II

18 OFFICE OF LONG-TERM CARE OMBUDSMAN — FY 2022-2023

19 Sec. 2. OFFICE OF LONG-TERM CARE OMBUDSMAN. There is
20 appropriated from the general fund of the state to the office
21 of long-term care ombudsman for the fiscal year beginning July
22 1, 2022, and ending June 30, 2023, the following amount, or
23 so much thereof as is necessary, to be used for the purposes
24 designated:

25 For salaries, support, administration, maintenance, and
26 miscellaneous purposes, and for not more than the following
27 full-time equivalent positions:

28	\$	1,149,821
29	FTEs	16.00

30 DIVISION III

31 DEPARTMENT OF PUBLIC HEALTH — FY 2022-2023

32 Sec. 3. DEPARTMENT OF PUBLIC HEALTH. There is appropriated
33 from the general fund of the state to the department of public
34 health for the fiscal year beginning July 1, 2022, and ending
35 June 30, 2023, the following amounts, or so much thereof as is

1 necessary, to be used for the purposes designated:

2 1. ADDICTIVE DISORDERS

3 For reducing the prevalence of the use of tobacco, alcohol,
4 and other drugs, and treating individuals affected by addictive
5 behaviors, including gambling, and for not more than the
6 following full-time equivalent positions:

7	\$ 23,659,379
8	FTEs 12.00

9 a. (1) Of the funds appropriated in this subsection,
10 \$4,020,894 shall be used for the tobacco use prevention
11 and control initiative, including efforts at the state and
12 local levels, as provided in [chapter 142A](#). The commission
13 on tobacco use prevention and control established pursuant
14 to [section 142A.3](#) shall advise the director of public health
15 in prioritizing funding needs and the allocation of moneys
16 appropriated for the programs and initiatives. Activities
17 of the programs and initiatives shall be in alignment with
18 the United States centers for disease control and prevention
19 best practices for comprehensive tobacco control programs
20 that include the goals of preventing youth initiation of
21 tobacco usage, reducing exposure to secondhand smoke, and
22 promotion of tobacco cessation. To maximize resources,
23 the department shall determine if third-party sources are
24 available to instead provide nicotine replacement products
25 to an applicant prior to provision of such products to an
26 applicant under the initiative. The department shall track and
27 report to the governor and the general assembly any reduction
28 in the provision of nicotine replacement products realized
29 by the initiative through implementation of the prerequisite
30 screening.

31 (2) (a) The department shall collaborate with the
32 alcoholic beverages division of the department of commerce for
33 enforcement of tobacco laws, regulations, and ordinances and to
34 engage in tobacco control activities approved by the division
35 of tobacco use prevention and control of the department of

1 public health as specified in the memorandum of understanding
2 entered into between the divisions.

3 (b) For the fiscal year beginning July 1, 2022, and ending
4 June 30, 2023, the terms of the memorandum of understanding,
5 entered into between the division of tobacco use prevention
6 and control of the department of public health and the
7 alcoholic beverages division of the department of commerce,
8 governing compliance checks conducted to ensure licensed retail
9 tobacco outlet conformity with tobacco laws, regulations, and
10 ordinances relating to persons under 21 years of age, shall
11 continue to restrict the number of such checks to one check per
12 retail outlet, and one additional check for any retail outlet
13 found to be in violation during the first check.

14 b. (1) Of the funds appropriated in this subsection,
15 \$19,638,485 shall be used for problem gambling and
16 substance-related disorder prevention, treatment, and recovery
17 services, including a 24-hour helpline, public information
18 resources, professional training, youth prevention, and program
19 evaluation.

20 (2) Of the amount allocated under this paragraph, \$306,000
21 shall be utilized by the department of public health, in
22 collaboration with the department of human services, to
23 maintain a single statewide 24-hour crisis hotline for the Iowa
24 children's behavioral health system that incorporates warmlines
25 services which may be provided through expansion of existing
26 capabilities maintained by the department of public health as
27 required pursuant to [2018 Iowa Acts, chapter 1056, section 16](#).

28 c. The requirement of [section 123.17, subsection 5](#), is met
29 by the appropriations and allocations made in this division of
30 this Act for purposes of substance-related disorder treatment
31 and addictive disorders for the fiscal year beginning July 1,
32 2022.

33 2. HEALTHY CHILDREN AND FAMILIES

34 For promoting the optimum health status for children and
35 adolescents from birth through 21 years of age, and families,

1 and for not more than the following full-time equivalent
2 positions:

3 \$ 5,816,681
4 FTEs 14.00

5 a. Of the funds appropriated in this subsection, not more
6 than \$734,000 shall be used for the healthy opportunities for
7 parents to experience success (HOPES)-healthy families Iowa
8 (HFI) program established pursuant to [section 135.106](#).

9 b. In order to implement the legislative intent stated
10 in sections [135.106](#) and [256I.9](#), priority for home visitation
11 program funding shall be given to programs using evidence-based
12 or promising models for home visitation.

13 c. Of the funds appropriated in this subsection, \$3,075,000
14 shall be used for continuation of the department's initiative
15 to provide for adequate developmental surveillance and
16 screening during a child's first five years. The funds shall
17 be used first to fully fund the current sites to ensure that
18 the sites are fully operational, with the remaining funds
19 to be used for expansion to additional sites. The full
20 implementation and expansion shall include enhancing the scope
21 of the initiative through collaboration with the child health
22 specialty clinics to promote healthy child development through
23 early identification and response to both biomedical and social
24 determinants of healthy development; by monitoring child
25 health metrics to inform practice, document long-term health
26 impacts and savings, and provide for continuous improvement
27 through training, education, and evaluation; and by providing
28 for practitioner consultation particularly for children with
29 behavioral conditions and needs. The department of public
30 health shall also collaborate with the Iowa Medicaid enterprise
31 and the child health specialty clinics to integrate the
32 activities of the first five initiative into the establishment
33 of patient-centered medical homes, community utilities,
34 accountable care organizations, and other integrated care
35 models developed to improve health quality and population

1 health while reducing health care costs. To the maximum extent
2 possible, funding allocated in this paragraph shall be utilized
3 as matching funds for medical assistance program reimbursement.

4 d. Of the funds appropriated in this subsection, \$64,000
5 shall be distributed to a statewide dental carrier to provide
6 funds to continue the donated dental services program patterned
7 after the projects developed by the dental lifeline network to
8 provide dental services to indigent individuals who are elderly
9 or with disabilities.

10 e. Of the funds appropriated in this subsection, \$156,000
11 shall be used to provide audiological services and hearing aids
12 for children.

13 f. Of the funds appropriated in this subsection, \$23,000 is
14 transferred to the university of Iowa college of dentistry for
15 provision of primary dental services to children. State funds
16 shall be matched on a dollar-for-dollar basis. The university
17 of Iowa college of dentistry shall coordinate efforts with the
18 department of public health, oral and health delivery system
19 bureau, to provide dental care to underserved populations
20 throughout the state.

21 g. Of the funds appropriated in this subsection, \$50,000
22 shall be used to address youth suicide prevention.

23 h. Of the funds appropriated in this subsection, \$40,000
24 shall be used to support the Iowa effort to address the survey
25 of children who experience adverse childhood experiences known
26 as ACEs.

27 i. Of the funds appropriated in this subsection, up to
28 \$494,000 shall be used for childhood obesity prevention.

29 3. CHRONIC CONDITIONS

30 For serving individuals identified as having chronic
31 conditions or special health care needs, and for not more than
32 the following full-time equivalent positions:

33	\$	4,258,373
34	FTEs	10.00

35 a. Of the funds appropriated in this subsection, \$188,000

1 shall be used for grants to individual patients who have an
2 inherited metabolic disorder to assist with the costs of
3 medically necessary foods and formula.

4 b. Of the funds appropriated in this subsection, \$1,055,000
5 shall be used for the brain injury services program pursuant
6 to [section 135.22B](#), including \$861,000 for contracting with an
7 existing nationally affiliated and statewide organization whose
8 purpose is to educate, serve, and support Iowans with brain
9 injury and their families, for resource facilitator services
10 in accordance with [section 135.22B, subsection 9](#), and for
11 contracting to enhance brain injury training and recruitment
12 of service providers on a statewide basis. Of the amount
13 allocated in this paragraph, \$95,000 shall be used to fund
14 1.00 full-time equivalent position to serve as the state brain
15 injury services program manager.

16 c. Of the funds appropriated in this subsection, \$144,000
17 shall be used for the public purpose of continuing to contract
18 with an existing nationally affiliated organization to provide
19 education, client-centered programs, and client and family
20 support for people living with epilepsy and their families.
21 The amount allocated in this paragraph in excess of \$50,000
22 shall be matched dollar-for-dollar by the organization
23 specified. Funds allocated under this paragraph shall be
24 distributed in their entirety for the purpose specified on July
25 1, 2022.

26 d. Of the funds appropriated in this subsection, \$809,000
27 shall be used for child health specialty clinics.

28 e. Of the funds appropriated in this subsection, \$384,000
29 shall be used by the regional autism assistance program
30 established pursuant to [section 256.35](#), and administered by
31 the child health specialty clinic located at the university of
32 Iowa hospitals and clinics. The funds shall be used to enhance
33 interagency collaboration and coordination of educational,
34 medical, and other human services for persons with autism,
35 their families, and providers of services, including delivering

1 regionalized services of care coordination, family navigation,
2 and integration of services through the statewide system of
3 regional child health specialty clinics and fulfilling other
4 requirements as specified in chapter 225D. The university of
5 Iowa shall not receive funds allocated under this paragraph for
6 indirect costs associated with the regional autism assistance
7 program.

8 f. Of the funds appropriated in this subsection, \$577,000
9 shall be used for the comprehensive cancer control program to
10 reduce the burden of cancer in Iowa through prevention, early
11 detection, effective treatment, and ensuring quality of life.
12 Of the funds allocated in this paragraph "f", \$150,000 shall
13 be used to support a melanoma research symposium, a melanoma
14 biorepository and registry, basic and translational melanoma
15 research, and clinical trials.

16 g. Of the funds appropriated in this subsection, \$97,000
17 shall be used for cervical and colon cancer screening, and
18 \$177,000 shall be used to enhance the capacity of the cervical
19 cancer screening program to include provision of recommended
20 prevention and early detection measures to a broader range of
21 low-income women.

22 h. Of the funds appropriated in this subsection, \$506,000
23 shall be used for the center for congenital and inherited
24 disorders.

25 4. COMMUNITY CAPACITY

26 For strengthening the health care delivery system at the
27 local level, and for not more than the following full-time
28 equivalent positions:

29	\$	6,519,306
30	FTEs	13.00

31 a. Of the funds appropriated in this subsection, \$95,000
32 is allocated for continuation of the child vision screening
33 program implemented through the university of Iowa hospitals
34 and clinics in collaboration with early childhood Iowa areas.
35 The program shall submit a report to the department regarding

1 the use of funds allocated under this paragraph "a". The
2 report shall include the objectives and results for the
3 program year including the target population and how the funds
4 allocated assisted the program in meeting the objectives; the
5 number, age, and location within the state of individuals
6 served; the type of services provided to the individuals
7 served; the distribution of funds based on service provided;
8 and the continuing needs of the program.

9 b. Of the funds appropriated in this subsection,
10 \$48,000 shall be used for a grant to a statewide association
11 of psychologists, that is affiliated with the American
12 psychological association, to be used for continuation of a
13 program to rotate intern psychologists in placements that
14 serve urban and rural mental health professional shortage
15 areas. Once an intern psychologist begins service, the intern
16 psychologist may continue serving in the location of the intern
17 psychologist's placement, notwithstanding any change in the
18 mental health professional shortage area designation of such
19 location. The intern psychologist may also provide services
20 via telehealth, to underserved populations, and to Medicaid
21 members. For the purposes of this paragraph "b", "mental
22 health professional shortage area" means a geographic area
23 in this state that has been designated by the United States
24 department of health and human services, health resources and
25 services administration, bureau of health professionals, as
26 having a shortage of mental health professionals.

27 c. Of the funds appropriated in this subsection, the
28 following amounts are allocated to be used as follows
29 to support the goals of increased access, health system
30 integration, and engagement:

31 (1) Not less than \$600,000 is allocated to the Iowa
32 prescription drug corporation for continuation of the
33 pharmaceutical infrastructure for safety net providers as
34 described in [2007 Iowa Acts, chapter 218, section 108](#), and for
35 the prescription drug donation repository program created in

1 chapter 135M. Funds allocated under this subparagraph shall
2 be distributed in their entirety for the purpose specified on
3 July 1, 2022.

4 (2) Not less than \$334,000 is allocated to free clinics and
5 free clinics of Iowa for necessary infrastructure, statewide
6 coordination, provider recruitment, service delivery, and
7 provision of assistance to patients in securing a medical home
8 inclusive of oral health care. Funds allocated under this
9 subparagraph shall be distributed in their entirety for the
10 purpose specified on July 1, 2022.

11 (3) Not less than \$25,000 is allocated to the Iowa
12 association of rural health clinics for necessary
13 infrastructure and service delivery transformation. Funds
14 allocated under this subparagraph shall be distributed in their
15 entirety for the purpose specified on July 1, 2022.

16 (4) Not less than \$225,000 is allocated to the Polk county
17 medical society for continuation of the safety net provider
18 patient access to specialty health care initiative as described
19 in [2007 Iowa Acts, chapter 218, section 109](#). Funds allocated
20 under this subparagraph shall be distributed in their entirety
21 for the purpose specified on July 1, 2022.

22 d. Of the funds appropriated in this subsection, \$191,000
23 is allocated for the purposes of health care and public health
24 workforce initiatives.

25 e. Of the funds appropriated in this subsection, \$96,000
26 shall be used for a matching dental education loan repayment
27 program to be allocated to a dental nonprofit health service
28 corporation to continue to develop the criteria and implement
29 the loan repayment program.

30 f. Of the funds appropriated in this subsection, \$100,000
31 shall be used for the purposes of the Iowa donor registry as
32 specified in [section 142C.18](#).

33 g. Of the funds appropriated in this subsection, \$96,000
34 shall be used for continuation of a grant to a nationally
35 affiliated volunteer eye organization that has an established

1 program for children and adults and that is solely dedicated to
2 preserving sight and preventing blindness through education,
3 nationally certified vision screening and training, and
4 community and patient service programs. The contractor shall
5 submit a report to the general assembly regarding the use
6 of funds allocated under this paragraph "g". The report
7 shall include the objectives and results for the program year
8 including the target population and how the funds allocated
9 assisted the program in meeting the objectives; the number,
10 age, grade level if appropriate, and location within the state
11 of individuals served; the type of services provided to the
12 individuals served; the distribution of funds based on services
13 provided; and the continuing needs of the program.

14 h. Of the funds appropriated in this subsection, \$2,100,000
15 shall be deposited in the medical residency training account
16 created in [section 135.175, subsection 5](#), paragraph "a", and
17 is appropriated from the account to the department of public
18 health to be used for the purposes of the medical residency
19 training state matching grants program as specified in section
20 135.176.

21 i. Of the funds appropriated in this subsection, \$250,000
22 shall be used for the public purpose of providing funding to
23 Des Moines university to continue a provider education project
24 to provide primary care physicians with the training and skills
25 necessary to recognize the signs of mental illness in patients.

26 j. Of the funds appropriated in this subsection, \$800,000
27 shall be used for rural psychiatric residencies to support the
28 annual creation and training of six psychiatric residents who
29 will provide mental health services in underserved areas of
30 the state. Notwithstanding section 8.33, moneys that remain
31 unencumbered or unobligated at the close of the fiscal year
32 shall not revert but shall remain available for expenditure for
33 the purposes designated for subsequent fiscal years.

34 k. Of the funds appropriated in this subsection, \$150,000
35 shall be used for psychiatric training to increase access to

1 mental health care services by expanding the mental health
2 workforce via training of additional physician assistants and
3 nurse practitioners.

4 1. Of the funds appropriated in this subsection, \$425,000
5 shall be used for the creation or continuation of a center of
6 excellence program to encourage innovation and collaboration
7 among regional health care providers in a rural area based
8 upon the results of a regional community needs assessment to
9 transform health care delivery in order to provide quality,
10 sustainable care that meets the needs of the local communities.
11 An applicant for the funds shall specify how the funds will
12 be expended to accomplish the goals of the program and shall
13 provide a detailed five-year sustainability plan prior to
14 being awarded any funding. Following the receipt of funding,
15 a recipient shall submit periodic reports as specified by the
16 department to the governor and the general assembly regarding
17 the recipient's expenditure of the funds and progress in
18 accomplishing the program goals.

19 5. ESSENTIAL PUBLIC HEALTH SERVICES

20 To provide public health services that reduce risks and
21 invest in promoting and protecting good health over the
22 course of a lifetime with a priority given to older Iowans and
23 vulnerable populations:

24 \$ 7,662,464

25 6. INFECTIOUS DISEASES

26 For reducing the incidence and prevalence of communicable
27 diseases, and for not more than the following full-time
28 equivalent positions:

29 \$ 1,796,206

30 FTEs 6.00

31 7. PUBLIC PROTECTION

32 For protecting the health and safety of the public through
33 establishing standards and enforcing regulations, and for not
34 more than the following full-time equivalent positions:

35 \$ 4,466,601

1 FTEs 142.00

2 a. Of the funds appropriated in this subsection, not more
3 than \$304,000 shall be credited to the emergency medical
4 services fund created in section 135.25. Moneys in the
5 emergency medical services fund are appropriated to the
6 department to be used for the purposes of the fund.

7 b. Of the funds appropriated in this subsection, up
8 to \$243,000 shall be used for sexual violence prevention
9 programming through a statewide organization representing
10 programs serving victims of sexual violence through the
11 department's sexual violence prevention program, and for
12 continuation of a training program for sexual assault
13 response team (SART) members, including representatives of
14 law enforcement, victim advocates, prosecutors, and certified
15 medical personnel. The amount allocated in this paragraph "b"
16 shall not be used to supplant funding administered for other
17 sexual violence prevention or victims assistance programs.

18 c. Of the funds appropriated in this subsection, up to
19 \$500,000 shall be used for the state poison control center.
20 Pursuant to the directive under 2014 Iowa Acts, chapter
21 1140, section 102, the federal matching funds available to
22 the state poison control center from the department of human
23 services under the federal Children's Health Insurance Program
24 Reauthorization Act allotment shall be subject to the federal
25 administrative cap rule of 10 percent applicable to funding
26 provided under Tit. XXI of the federal Social Security Act and
27 included within the department's calculations of the cap.

28 d. Of the funds appropriated in this subsection, up to
29 \$504,000 shall be used for childhood lead poisoning provisions.

30 8. RESOURCE MANAGEMENT

31 For establishing and sustaining the overall ability of the
32 department to deliver services to the public, and for not more
33 than the following full-time equivalent positions:

34 \$ 933,871
35 FTEs 4.00

1 9. MISCELLANEOUS PROVISIONS

2 The university of Iowa hospitals and clinics under the
3 control of the state board of regents shall not receive
4 indirect costs from the funds appropriated in this section.
5 The university of Iowa hospitals and clinics billings to the
6 department shall be on at least a quarterly basis.

7 Sec. 4. DEPARTMENT OF PUBLIC HEALTH — SPORTS WAGERING
8 RECEIPTS FUND. There is appropriated from the sports wagering
9 receipts fund created in section 8.57, subsection 6, to the
10 department of public health for the fiscal year beginning July
11 1, 2022, and ending June 30, 2023, the following amount, or
12 so much thereof as is necessary, to be used for the purposes
13 designated:

14 For problem gambling and substance-related disorder
15 prevention, treatment, and recovery services, including a
16 24-hour helpline, public information resources, professional
17 training, youth prevention, and program evaluation:

18 \$ 1,750,000

19 DIVISION IV

20 DEPARTMENT OF VETERANS AFFAIRS — FY 2022-2023

21 Sec. 5. DEPARTMENT OF VETERANS AFFAIRS. There is
22 appropriated from the general fund of the state to the
23 department of veterans affairs for the fiscal year beginning
24 July 1, 2022, and ending June 30, 2023, the following amounts,
25 or so much thereof as is necessary, to be used for the purposes
26 designated:

27 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

28 For salaries, support, maintenance, and miscellaneous
29 purposes, and for not more than the following full-time
30 equivalent positions:

31 \$ 1,229,763

32 FTEs 15.00

33 2. IOWA VETERANS HOME

34 For salaries, support, maintenance, and miscellaneous
35 purposes:

1 \$ 7,131,552

2 a. The Iowa veterans home billings involving the department
3 of human services shall be submitted to the department on at
4 least a monthly basis.

5 b. The Iowa veterans home expenditure report shall be
6 submitted monthly to the general assembly.

7 c. The Iowa veterans home shall continue to include in the
8 annual discharge report applicant information to provide for
9 the collection of demographic information including but not
10 limited to the number of individuals applying for admission and
11 admitted or denied admittance and the basis for the admission
12 or denial; the age, gender, and race of such individuals;
13 and the level of care for which such individuals applied for
14 admission including residential or nursing level of care.

15 3. HOME OWNERSHIP ASSISTANCE PROGRAM

16 For transfer to the Iowa finance authority for the
17 continuation of the home ownership assistance program for
18 persons who are or were eligible members of the armed forces of
19 the United States, pursuant to [section 16.54](#):

20 \$ 2,000,000

21 Sec. 6. LIMITATION OF COUNTY COMMISSIONS OF VETERAN AFFAIRS
22 FUND STANDING APPROPRIATIONS. Notwithstanding the standing
23 appropriation in [section 35A.16](#) for the fiscal year beginning
24 July 1, 2022, and ending June 30, 2023, the amount appropriated
25 from the general fund of the state pursuant to that section
26 for the following designated purposes shall not exceed the
27 following amount:

28 For the county commissions of veteran affairs fund under
29 section 35A.16:

30 \$ 990,000

31 DIVISION V

32 DEPARTMENT OF HUMAN SERVICES — FY 2022-2023

33 Sec. 7. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
34 GRANT. There is appropriated from the fund created in section
35 8.41 to the department of human services for the fiscal year

1 beginning July 1, 2022, and ending June 30, 2023, from moneys
2 received under the federal temporary assistance for needy
3 families (TANF) block grant pursuant to the federal Personal
4 Responsibility and Work Opportunity Reconciliation Act of 1996,
5 Pub. L. No. 104-193, and successor legislation, the following
6 amounts, or so much thereof as is necessary, to be used for the
7 purposes designated:

8 1. To be credited to the family investment program account
9 and used for assistance under the family investment program
10 under [chapter 239B](#):

11 \$ 5,002,006

12 2. To be credited to the family investment program account
13 and used for the job opportunities and basic skills (JOBS)
14 program and implementing family investment agreements in
15 accordance with [chapter 239B](#):

16 \$ 5,412,060

17 3. To be used for the family development and
18 self-sufficiency grant program in accordance with section
19 216A.107:

20 \$ 2,888,980

21 Notwithstanding [section 8.33](#), moneys appropriated in this
22 subsection that remain unencumbered or unobligated at the close
23 of the fiscal year shall not revert but shall remain available
24 for expenditure for the purposes designated until the close of
25 the succeeding fiscal year. However, unless such moneys are
26 encumbered or obligated on or before September 30, 2023, the
27 moneys shall revert.

28 4. For field operations:
29 \$ 31,296,232

30 5. For general administration:
31 \$ 3,744,000

32 6. For state child care assistance:
33 \$ 47,166,826

34 a. Of the funds appropriated in this subsection,
35 \$26,205,412 is transferred to the child care and development

1 block grant appropriation made by the Eighty-ninth General
2 Assembly, 2022 session, for the federal fiscal year beginning
3 October 1, 2022, and ending September 30, 2023. Of this
4 amount, \$200,000 shall be used for provision of educational
5 opportunities to registered child care home providers in order
6 to improve services and programs offered by this category
7 of providers and to increase the number of providers. The
8 department may contract with institutions of higher education
9 or child care resource and referral centers to provide
10 the educational opportunities. Allowable administrative
11 costs under the contracts shall not exceed 5 percent. The
12 application for a grant shall not exceed two pages in length.

13 b. Any funds appropriated in this subsection remaining
14 unallocated shall be used for state child care assistance
15 payments for families who are employed including but not
16 limited to individuals enrolled in the family investment
17 program.

18 7. For child and family services:

19 \$ 32,380,654

20 8. For child abuse prevention grants:

21 \$ 125,000

22 9. For pregnancy prevention grants on the condition that
23 family planning services are funded:

24 \$ 1,913,203

25 Pregnancy prevention grants shall be awarded to programs
26 in existence on or before July 1, 2022, if the programs have
27 demonstrated positive outcomes. Grants shall be awarded to
28 pregnancy prevention programs which are developed after July
29 1, 2022, if the programs are based on existing models that
30 have demonstrated positive outcomes. Grants shall comply with
31 the requirements provided in 1997 Iowa Acts, chapter 208,
32 section 14, subsections 1 and 2, including the requirement that
33 grant programs must emphasize sexual abstinence. Priority in
34 the awarding of grants shall be given to programs that serve
35 areas of the state which demonstrate the highest percentage of

1 unplanned pregnancies of females of childbearing age within the
2 geographic area to be served by the grant.

3 10. For technology needs and other resources necessary to
4 meet federal and state reporting, tracking, and case management
5 requirements and other departmental needs:

6 \$ 1,037,186

7 11. a. Notwithstanding any provision to the contrary,
8 including but not limited to requirements in [section 8.41](#) or
9 provisions in 2021 Iowa Acts or 2022 Iowa Acts regarding the
10 receipt and appropriation of federal block grants, federal
11 funds from the temporary assistance for needy families block
12 grant received by the state and not otherwise appropriated
13 in this section and remaining available for the fiscal year
14 beginning July 1, 2022, are appropriated to the department of
15 human services to the extent as may be necessary to be used in
16 the following priority order: the family investment program,
17 for state child care assistance program payments for families
18 who are employed, and for the family investment program share
19 of system costs for eligibility determination and related
20 functions. The federal funds appropriated in this paragraph
21 "a" shall be expended only after all other funds appropriated
22 in subsection 1 for assistance under the family investment
23 program, in subsection 6 for state child care assistance, or
24 in subsection 10 for technology needs and other resources
25 necessary to meet departmental needs, as applicable, have been
26 expended. For the purposes of this subsection, the funds
27 appropriated in subsection 6, paragraph "a", for transfer
28 to the child care and development block grant appropriation
29 are considered fully expended when the full amount has been
30 transferred.

31 b. The department shall, on a quarterly basis, advise the
32 general assembly and department of management of the amount of
33 funds appropriated in this subsection that was expended in the
34 prior quarter.

35 12. Of the amounts appropriated in this section,

1 \$12,962,008 for the fiscal year beginning July 1, 2022, is
2 transferred to the appropriation of the federal social services
3 block grant made to the department of human services for that
4 fiscal year.

5 13. For continuation of the program providing categorical
6 eligibility for the supplemental nutrition assistance program
7 (SNAP) as specified for the program in the section of this
8 division of this Act relating to the family investment program
9 account:

10 \$ 14,236

11 14. The department may transfer funds allocated in this
12 section to the appropriations made in this division of this Act
13 for the same fiscal year for general administration and field
14 operations for resources necessary to implement and operate the
15 services referred to in this section and those funded in the
16 appropriation made in this division of this Act for the same
17 fiscal year for the family investment program from the general
18 fund of the state.

19 15. With the exception of moneys allocated under this
20 section for the family development and self-sufficiency grant
21 program, to the extent moneys allocated in this section are
22 deemed by the department not to be necessary to support the
23 purposes for which they are allocated, such moneys may be used
24 in the same fiscal year for any other purpose for which funds
25 are allocated in this section or in section 8 of this division
26 of this Act for the family investment program account. If
27 there are conflicting needs, priority shall first be given
28 to the family investment program account as specified under
29 subsection 1 of this section and used for the purposes of
30 assistance under the family investment program in accordance
31 with [chapter 239B](#), followed by state child care assistance
32 program payments for families who are employed, followed by
33 other priorities as specified by the department.

34 Sec. 8. FAMILY INVESTMENT PROGRAM ACCOUNT.

35 1. Moneys credited to the family investment program (FIP)

1 account for the fiscal year beginning July 1, 2022, and
2 ending June 30, 2023, shall be used to provide assistance in
3 accordance with [chapter 239B](#).

4 2. The department may use a portion of the moneys credited
5 to the FIP account under this section as necessary for
6 salaries, support, maintenance, and miscellaneous purposes,
7 including administrative and information technology costs
8 associated with rent reimbursement and other income assistance
9 programs administered by the department.

10 3. The department may transfer funds allocated in
11 subsection 4, excluding the allocation under subsection 4,
12 paragraph "b", to the appropriations made in this division of
13 this Act for the same fiscal year for general administration
14 and field operations for resources necessary to implement
15 and operate the services referred to in this section and
16 those funded in the appropriations made in section 7 for the
17 temporary assistance for needy families block grant and in
18 section 9 for the family investment program from the general
19 fund of the state in this division of this Act for the same
20 fiscal year.

21 4. Moneys appropriated in this division of this Act and
22 credited to the FIP account for the fiscal year beginning July
23 1, 2022, and ending June 30, 2023, are allocated as follows:

24 a. To be retained by the department of human services to
25 be used for coordinating with the department of human rights
26 to more effectively serve participants in FIP and other shared
27 clients and to meet federal reporting requirements under the
28 federal temporary assistance for needy families block grant:
29 \$ 10,000

30 b. To the department of human rights for staffing,
31 administration, and implementation of the family development
32 and self-sufficiency grant program in accordance with section
33 216A.107:
34 \$ 7,192,834

35 (1) Of the funds allocated for the family development

1 and self-sufficiency grant program in this paragraph "b",
2 not more than 5 percent of the funds shall be used for the
3 administration of the grant program.

4 (2) The department of human rights may continue to implement
5 the family development and self-sufficiency grant program
6 statewide during fiscal year 2022-2023.

7 (3) The department of human rights may engage in activities
8 to strengthen and improve family outcomes measures and
9 data collection systems under the family development and
10 self-sufficiency grant program.

11 c. For the diversion subaccount of the FIP account:

12 \$ 1,293,000

13 A portion of the moneys allocated for the diversion
14 subaccount may be used for field operations, salaries, data
15 management system development, and implementation costs and
16 support deemed necessary by the director of human services
17 in order to administer the FIP diversion program. To the
18 extent moneys allocated in this paragraph "c" are deemed by the
19 department not to be necessary to support diversion activities,
20 such moneys may be used for other efforts intended to increase
21 engagement by family investment program participants in work,
22 education, or training activities, or for the purposes of
23 assistance under the family investment program in accordance
24 with [chapter 239B](#).

25 d. For the SNAP employment and training program:

26 \$ 66,588

27 (1) The department shall apply the federal SNAP employment
28 and training state plan in order to maximize to the fullest
29 extent permitted by federal law the use of the 50 percent
30 federal reimbursement provisions for the claiming of allowable
31 federal reimbursement funds from the United States department
32 of agriculture pursuant to the federal SNAP employment and
33 training program for providing education, employment, and
34 training services for eligible SNAP participants, including
35 but not limited to related dependent care and transportation

1 expenses.

2 (2) The department shall continue the categorical
3 federal SNAP eligibility at 160 percent of the federal
4 poverty level and continue to eliminate the asset test from
5 eligibility requirements, consistent with federal SNAP program
6 requirements. The department shall include as many SNAP
7 households as is allowed by federal law. The eligibility
8 provisions shall conform to all federal requirements including
9 requirements addressing individuals who are disqualified for
10 committing an intentional program violation or are otherwise
11 ineligible.

12 e. For the JOBS program, not more than:

13 \$ 12,018,258

14 5. Of the child support collections assigned under FIP,
15 an amount equal to the federal share of support collections
16 shall be credited to the child support recovery appropriation
17 made in this division of this Act. Of the remainder of the
18 assigned child support collections received by the child
19 support recovery unit, a portion shall be credited to the FIP
20 account, a portion may be used to increase recoveries, and a
21 portion may be used to sustain cash flow in the child support
22 payments account. If as a consequence of the appropriations
23 and allocations made in this section the resulting amounts
24 are insufficient to sustain cash assistance payments and meet
25 federal maintenance of effort requirements, the department
26 shall seek supplemental funding. If child support collections
27 assigned under FIP are greater than estimated or are otherwise
28 determined not to be required for maintenance of effort, the
29 state share of either amount may be transferred to or retained
30 in the child support payments account.

31 Sec. 9. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
32 is appropriated from the general fund of the state to the
33 department of human services for the fiscal year beginning July
34 1, 2022, and ending June 30, 2023, the following amount, or
35 so much thereof as is necessary, to be used for the purpose

1 designated:

2 To be credited to the family investment program (FIP)
3 account and used for family investment program assistance
4 under [chapter 239B](#) and other costs associated with providing
5 needs-based benefits or assistance:

6 \$ 41,003,978

7 1. Of the funds appropriated in this section, \$6,606,198 is
8 allocated for the JOBS program.

9 2. Of the funds appropriated in this section, \$4,313,854 is
10 allocated for the family development and self-sufficiency grant
11 program.

12 3. a. Notwithstanding [section 8.39](#), for the fiscal
13 year beginning July 1, 2022, if necessary to meet federal
14 maintenance of effort requirements or to transfer federal
15 temporary assistance for needy families block grant funding
16 to be used for purposes of the federal social services block
17 grant or to meet cash flow needs resulting from delays in
18 receiving federal funding or to implement, in accordance with
19 this division of this Act, activities currently funded with
20 juvenile court services, county, or community moneys and state
21 moneys used in combination with such moneys; to comply with
22 federal requirements; or to maximize the use of federal funds;
23 the department of human services may transfer funds within or
24 between any of the appropriations made in this division of this
25 Act and appropriations in law for the federal social services
26 block grant to the department for the following purposes,
27 provided that the combined amount of state and federal
28 temporary assistance for needy families block grant funding
29 for each appropriation remains the same before and after the
30 transfer:

- 31 (1) For the family investment program.
- 32 (2) For state child care assistance.
- 33 (3) For child and family services.
- 34 (4) For field operations.
- 35 (5) For general administration.

1 b. This subsection shall not be construed to prohibit the
2 use of existing state transfer authority for other purposes.
3 The department shall report any transfers made pursuant to this
4 subsection to the general assembly.

5 4. Of the funds appropriated in this section, \$195,000
6 shall be used for a contract for tax preparation assistance
7 to low-income Iowans to expand the usage of the earned income
8 tax credit. The purpose of the contract is to supply this
9 assistance to underserved areas of the state. The department
10 shall not retain any portion of the allocation under this
11 subsection for administrative costs.

12 5. Of the funds appropriated in this section, \$70,000 shall
13 be used for the continuation of the parenting program, as
14 specified in [441 IAC ch. 100](#), relating to parental obligations,
15 in which the child support recovery unit participates, to
16 support the efforts of a nonprofit organization committed to
17 strengthening the community through youth development, healthy
18 living, and social responsibility headquartered in a county
19 with a population over 450,000 according to the 2020 certified
20 federal census. The funds allocated in this subsection shall
21 be used by the recipient organization to develop a larger
22 community effort, through public and private partnerships, to
23 support a broad-based multi-county parenthood initiative that
24 promotes payment of child support obligations, improved family
25 relationships, and full-time employment.

26 6. The department may transfer funds appropriated in this
27 section, excluding the allocation in subsection 2 for the
28 family development and self-sufficiency grant program, to the
29 appropriations made in this division of this Act for general
30 administration and field operations as necessary to administer
31 this section, section 7 for the temporary assistance for needy
32 families block grant, and section 8 for the family investment
33 program account.

34 Sec. 10. CHILD SUPPORT RECOVERY. There is appropriated
35 from the general fund of the state to the department of human

1 services for the fiscal year beginning July 1, 2022, and ending
2 June 30, 2023, the following amount, or so much thereof as is
3 necessary, to be used for the purposes designated:

4 For child support recovery, including salaries, support,
5 maintenance, and miscellaneous purposes, and for not more than
6 the following full-time equivalent positions:

7 \$ 15,942,885
8 FTEs 459.00

9 1. The department shall expend up to \$24,000, including
10 federal financial participation, for the fiscal year beginning
11 July 1, 2022, for a child support public awareness campaign.
12 The department and the office of the attorney general shall
13 cooperate in continuation of the campaign. The public
14 awareness campaign shall emphasize, through a variety of
15 media activities, the importance of maximum involvement of
16 both parents in the lives of their children as well as the
17 importance of payment of child support obligations.

18 2. Federal access and visitation grant moneys shall be
19 issued directly to private not-for-profit agencies that provide
20 services designed to increase compliance with the child access
21 provisions of court orders, including but not limited to
22 neutral visitation sites and mediation services.

23 3. The appropriation made to the department for child
24 support recovery may be used throughout the fiscal year in the
25 manner necessary for purposes of cash flow management, and for
26 cash flow management purposes the department may temporarily
27 draw more than the amount appropriated, provided the amount
28 appropriated is not exceeded at the close of the fiscal year.

29 Sec. 11. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE —
30 FY 2022-2023. Any funds remaining in the health care trust
31 fund created in [section 453A.35A](#) for the fiscal year beginning
32 July 1, 2022, and ending June 30, 2023, are appropriated to
33 the department of human services to supplement the medical
34 assistance program appropriations made in this division of this
35 Act, for medical assistance reimbursement and associated costs,

1 409, subsection 6. Of the funds allocated in this subsection,
2 not more than \$5,000 may be expended for administrative
3 purposes.

4 4. Of the funds appropriated in this Act to the department
5 of public health for addictive disorders, \$950,000 for
6 the fiscal year beginning July 1, 2022, is transferred
7 to the department of human services for an integrated
8 substance-related disorder managed care system. The
9 departments of human services and public health shall
10 work together to maintain the level of mental health and
11 substance-related disorder treatment services provided by the
12 managed care contractors. Each department shall take the steps
13 necessary to continue the federal waivers as necessary to
14 maintain the level of services.

15 5. The department shall aggressively pursue options for
16 providing medical assistance or other assistance to individuals
17 with special needs who become ineligible to continue receiving
18 services under the early and periodic screening, diagnostic,
19 and treatment program under the medical assistance program
20 due to becoming 21 years of age who have been approved for
21 additional assistance through the department's exception to
22 policy provisions, but who have health care needs in excess
23 of the funding available through the exception to policy
24 provisions.

25 6. Of the funds appropriated in this section, up to
26 \$3,050,082 may be transferred to the field operations or
27 general administration appropriations in this division of this
28 Act for operational costs associated with Part D of the federal
29 Medicare Prescription Drug Improvement and Modernization Act
30 of 2003, Pub. L. No. 108-173.

31 7. Of the funds appropriated in this section, up to \$442,100
32 may be transferred to the appropriation in this division of
33 this Act for health program operations to be used for clinical
34 assessment services and prior authorization of services.

35 8. A portion of the funds appropriated in this section may

1 be transferred to the appropriations in this division of this
2 Act for general administration, health program operations, the
3 children's health insurance program, or field operations to be
4 used for the state match cost to comply with the payment error
5 rate measurement (PERM) program for both the medical assistance
6 and children's health insurance programs as developed by the
7 centers for Medicare and Medicaid services of the United States
8 department of health and human services to comply with the
9 federal Improper Payments Information Act of 2002, Pub. L.
10 No. 107-300, and to support other reviews and quality control
11 activities to improve the integrity of these programs.

12 9. Of the funds appropriated in this section, a sufficient
13 amount is allocated to supplement the incomes of residents of
14 nursing facilities, intermediate care facilities for persons
15 with mental illness, and intermediate care facilities for
16 persons with an intellectual disability, with incomes of less
17 than \$50 in the amount necessary for the residents to receive a
18 personal needs allowance of \$50 per month pursuant to section
19 249A.30A.

20 10. One hundred percent of the nonfederal share of payments
21 to area education agencies that are medical assistance
22 providers for medical assistance-covered services provided to
23 medical assistance-covered children, shall be made from the
24 appropriation made in this section.

25 11. A portion of the funds appropriated in this section may
26 be transferred to the appropriation in this division of this
27 Act for health program operations to be used for administrative
28 activities associated with the money follows the person
29 demonstration project.

30 12. Of the funds appropriated in this section, \$349,011
31 shall be used for the administration of the health insurance
32 premium payment program, including salaries, support,
33 maintenance, and miscellaneous purposes.

34 13. a. The department may increase the amounts allocated
35 for salaries, support, maintenance, and miscellaneous purposes

1 associated with the medical assistance program, as necessary,
2 to sustain cost management efforts. The department shall
3 report any such increase to the general assembly and the
4 department of management.

5 b. If the savings to the medical assistance program from
6 ongoing cost management efforts exceed the associated cost
7 for the fiscal year beginning July 1, 2022, the department
8 may transfer any savings generated for the fiscal year due
9 to medical assistance program cost management efforts to the
10 appropriation made in this division of this Act for health
11 program operations or general administration to defray the
12 costs associated with implementing the efforts.

13 14. For the fiscal year beginning July 1, 2022, and ending
14 June 30, 2023, the replacement generation tax revenues required
15 to be deposited in the property tax relief fund pursuant to
16 section 437A.8, subsection 4, paragraph "d", and section
17 437A.15, subsection 3, paragraph "f", shall instead be credited
18 to and supplement the appropriation made in this section and
19 used for the allocations made in this section.

20 15. a. Of the funds appropriated in this section, up
21 to \$50,000 may be transferred by the department to the
22 appropriation made in this division of this Act to the
23 department for the same fiscal year for general administration
24 to be used for associated administrative expenses and for not
25 more than 1.00 full-time equivalent position, in addition to
26 those authorized for the same fiscal year, to be assigned to
27 implementing the children's mental health home project.

28 b. Of the funds appropriated in this section, up to \$400,000
29 may be transferred by the department to the appropriation made
30 to the department in this division of this Act for the same
31 fiscal year for Medicaid program-related general administration
32 planning and implementation activities. The funds may be used
33 for contracts or for personnel in addition to the amounts
34 appropriated for and the positions authorized for general
35 administration for the fiscal year.

1 c. Of the funds appropriated in this section, up to
2 \$3,000,000 may be transferred by the department to the
3 appropriations made in this division of this Act for the
4 same fiscal year for general administration or health
5 program operations to be used to support the development
6 and implementation of standardized assessment tools for
7 persons with mental illness, an intellectual disability, a
8 developmental disability, or a brain injury.

9 16. Of the funds appropriated in this section, \$150,000
10 shall be used for lodging expenses associated with care
11 provided at the university of Iowa hospitals and clinics for
12 patients with cancer whose travel distance is 30 miles or more
13 and whose income is at or below 200 percent of the federal
14 poverty level as defined by the most recently revised poverty
15 income guidelines published by the United States department of
16 health and human services. The department of human services
17 shall establish the maximum number of overnight stays and the
18 maximum rate reimbursed for overnight lodging, which may be
19 based on the state employee rate established by the department
20 of administrative services. The funds allocated in this
21 subsection shall not be used as nonfederal share matching
22 funds.

23 17. Of the funds appropriated in this section, up to
24 \$3,383,880 shall be used for administration of the state family
25 planning services program pursuant to [section 217.41B](#), and
26 of this amount, the department may use up to \$200,000 for
27 administrative expenses.

28 18. Of the funds appropriated in this section, \$1,545,530
29 shall be used and may be transferred to other appropriations
30 in this division of this Act as necessary to administer the
31 provisions in the division of this Act relating to Medicaid
32 program administration.

33 19. The department shall comply with the centers for
34 Medicare and Medicaid services' guidance related to Medicaid
35 program and children's health insurance program maintenance

1 of effort provisions, including eligibility standards,
2 methodologies, procedures, and continuous enrollment, to
3 receive the enhanced federal medical assistance percentage
4 under section 6008(b) of the federal Families First Coronavirus
5 Response Act, Pub. L. No. 116-127. The department shall
6 utilize and implement all tools, processes, and resources
7 available to expediently return to normal eligibility and
8 enrollment operations in compliance with federal guidance and
9 expectations.

10 20. A portion of the funds appropriated in this section
11 may be transferred to the appropriation made in this division
12 of this Act for the children's health insurance program,
13 if the children's health insurance program appropriation
14 is insufficient to cover the designated purposes of that
15 appropriation.

16 21. The department of human services shall submit a Medicaid
17 state plan amendment to the centers for Medicare and Medicaid
18 services to request the addition of functional family therapy
19 and multisystemic therapy for youth as covered services under
20 the Medicaid program. The department shall include functional
21 family therapy and multisystemic therapy under the Medicaid
22 program as covered services upon receipt of federal approval.

23 Sec. 14. HEALTH PROGRAM OPERATIONS. There is appropriated
24 from the general fund of the state to the department of human
25 services for the fiscal year beginning July 1, 2022, and ending
26 June 30, 2023, the following amount, or so much thereof as is
27 necessary, to be used for the purpose designated:

28 For health program operations:
29 \$ 17,446,343

30 1. The department of inspections and appeals shall
31 provide all state matching funds for survey and certification
32 activities performed by the department of inspections
33 and appeals. The department of human services is solely
34 responsible for distributing the federal matching funds for
35 such activities.

1 2. Of the funds appropriated in this section, \$50,000 shall
2 be used for continuation of home and community-based services
3 waiver quality assurance programs, including the review and
4 streamlining of processes and policies related to oversight and
5 quality management to meet state and federal requirements.

6 3. Of the amount appropriated in this section, up to
7 \$200,000 may be transferred to the appropriation for general
8 administration in this division of this Act to be used for
9 additional full-time equivalent positions in the development
10 of key health initiatives such as development and oversight
11 of managed care programs and development of health strategies
12 targeted toward improved quality and reduced costs in the
13 Medicaid program.

14 4. Of the funds appropriated in this section, \$1,000,000
15 shall be used for planning and development, in cooperation with
16 the department of public health, of a phased-in program to
17 provide a dental home for children.

18 5. a. Of the funds appropriated in this section, \$188,000
19 shall be credited to the autism support program fund created
20 in [section 225D.2](#) to be used for the autism support program
21 created in [chapter 225D](#), with the exception of the following
22 amount of this allocation which shall be used as follows:

23 b. Of the funds allocated in this subsection, \$25,000 shall
24 be used for the public purpose of continuation of a grant to
25 a nonprofit provider of child welfare services that has been
26 in existence for more than 115 years, is located in a county
27 with a population between 220,000 and 250,000 according to the
28 2020 federal decennial census, is licensed as a psychiatric
29 medical institution for children, and provides school-based
30 programming, to be used for support services for children with
31 autism spectrum disorder and their families.

32 Sec. 15. STATE SUPPLEMENTARY ASSISTANCE.

33 1. There is appropriated from the general fund of the
34 state to the department of human services for the fiscal year
35 beginning July 1, 2022, and ending June 30, 2023, the following

1 amount, or so much thereof as is necessary, to be used for the
2 purpose designated:

3 For the state supplementary assistance program:

4 \$ 7,349,002

5 2. The department shall increase the personal needs
6 allowance for residents of residential care facilities by the
7 same percentage and at the same time as federal supplemental
8 security income and federal social security benefits are
9 increased due to a recognized increase in the cost of living.
10 The department may adopt emergency rules to implement this
11 subsection.

12 3. If during the fiscal year beginning July 1, 2022,
13 the department projects that state supplementary assistance
14 expenditures for a calendar year will not meet the federal
15 pass-through requirement specified in Tit. XVI of the federal
16 Social Security Act, section 1618, as codified in 42 U.S.C.
17 §1382g, the department may take actions including but not
18 limited to increasing the personal needs allowance for
19 residential care facility residents and making programmatic
20 adjustments or upward adjustments of the residential care
21 facility or in-home health-related care reimbursement rates
22 prescribed in this division of this Act to ensure that federal
23 requirements are met. In addition, the department may make
24 other programmatic and rate adjustments necessary to remain
25 within the amount appropriated in this section while ensuring
26 compliance with federal requirements. The department may adopt
27 emergency rules to implement the provisions of this subsection.

28 4. Notwithstanding [section 8.33](#), moneys appropriated
29 in this section that remain unencumbered or unobligated
30 at the close of the fiscal year shall not revert but
31 shall remain available for expenditure for the purposes
32 designated, including for liability amounts associated with the
33 supplemental nutrition assistance program payment error rate,
34 until the close of the succeeding fiscal year.

35 Sec. 16. CHILDREN'S HEALTH INSURANCE PROGRAM.

1 1. There is appropriated from the general fund of the
2 state to the department of human services for the fiscal year
3 beginning July 1, 2022, and ending June 30, 2023, the following
4 amount, or so much thereof as is necessary, to be used for the
5 purpose designated:

6 For maintenance of the healthy and well kids in Iowa (hawk-i)
7 program pursuant to [chapter 514I](#), including supplemental dental
8 services, for receipt of federal financial participation under
9 Tit. XXI of the federal Social Security Act, which creates the
10 children's health insurance program:

11 \$ 38,661,688

12 2. Of the funds appropriated in this section, \$158,850 is
13 allocated for continuation of the contract for outreach with
14 the department of public health.

15 3. A portion of the funds appropriated in this section may
16 be transferred to the appropriations made in this division of
17 this Act for field operations or health program operations to
18 be used for the integration of hawk-i program eligibility,
19 payment, and administrative functions under the purview of
20 the department of human services, including for the Medicaid
21 management information system upgrade.

22 Sec. 17. CHILD CARE ASSISTANCE. There is appropriated
23 from the general fund of the state to the department of human
24 services for the fiscal year beginning July 1, 2022, and ending
25 June 30, 2023, the following amount, or so much thereof as is
26 necessary, to be used for the purpose designated:

27 For child care programs:
28 \$ 40,816,931

29 1. Of the funds appropriated in this section, \$34,966,931
30 shall be used for state child care assistance in accordance
31 with [section 237A.13](#).

32 2. Nothing in this section shall be construed or is
33 intended as or shall imply a grant of entitlement for services
34 to persons who are eligible for assistance due to an income
35 level consistent with the waiting list requirements of section

1 237A.13. Any state obligation to provide services pursuant to
2 this section is limited to the extent of the funds appropriated
3 in this section.

4 3. A list of the registered and licensed child care
5 facilities operating in the area served by a child care
6 resource and referral service shall be made available to the
7 families receiving state child care assistance in that area.

8 4. Of the funds appropriated in this section, \$5,850,000
9 shall be credited to the early childhood programs grants
10 account in the early childhood Iowa fund created in section
11 256I.11. The moneys shall be distributed for funding of
12 community-based early childhood programs targeted to children
13 from birth through five years of age developed by early
14 childhood Iowa areas in accordance with approved community
15 plans as provided in [section 256I.8](#).

16 5. The department may use any of the funds appropriated
17 in this section as a match to obtain federal funds for use in
18 expanding child care assistance and related programs. For
19 the purpose of expenditures of state and federal child care
20 funding, funds shall be considered obligated at the time
21 expenditures are projected or are allocated to the department's
22 service areas. Projections shall be based on current and
23 projected caseload growth, current and projected provider
24 rates, staffing requirements for eligibility determination
25 and management of program requirements including data systems
26 management, staffing requirements for administration of the
27 program, contractual and grant obligations and any transfers
28 to other state agencies, and obligations for decategorization
29 or innovation projects.

30 6. A portion of the state match for the federal child care
31 and development block grant shall be provided as necessary to
32 meet federal matching funds requirements through the state
33 general fund appropriation made for child development grants
34 and other programs for at-risk children in [section 279.51](#).

35 7. If a uniform reduction ordered by the governor under

1 section 8.31 or other operation of law, transfer, or federal
2 funding reduction reduces the appropriation made in this
3 section for the fiscal year, the percentage reduction in the
4 amount paid out to or on behalf of the families participating
5 in the state child care assistance program shall be equal to or
6 less than the percentage reduction made for any other purpose
7 payable from the appropriation made in this section and the
8 federal funding relating to it. The percentage reduction to
9 the other allocations made in this section shall be the same as
10 the uniform reduction ordered by the governor or the percentage
11 change of the federal funding reduction, as applicable. If
12 there is an unanticipated increase in federal funding provided
13 for state child care services, the entire amount of the
14 increase, except as necessary to meet federal requirements
15 including quality set asides, shall be used for state child
16 care assistance payments. If the appropriations made for
17 purposes of the state child care assistance program for the
18 fiscal year are determined to be insufficient, it is the intent
19 of the general assembly to appropriate sufficient funding for
20 the fiscal year in order to avoid establishment of waiting list
21 requirements.

22 8. Notwithstanding [section 8.33](#), moneys advanced for
23 purposes of the programs developed by early childhood Iowa
24 areas, advanced for purposes of wraparound child care, or
25 received from the federal appropriations made for the purposes
26 of this section that remain unencumbered or unobligated at the
27 close of the fiscal year shall not revert to any fund but shall
28 remain available for expenditure for the purposes designated
29 until the close of the succeeding fiscal year.

30 Sec. 18. JUVENILE INSTITUTION. There is appropriated
31 from the general fund of the state to the department of human
32 services for the fiscal year beginning July 1, 2022, and ending
33 June 30, 2023, the following amounts, or so much thereof as is
34 necessary, to be used for the purposes designated:

35 1. a. For operation of the state training school at Eldora

1 and for salaries, support, maintenance, and miscellaneous
2 purposes, and for not more than the following full-time
3 equivalent positions:

4 \$ 17,606,871
5 FTEs 207.00

6 b. Of the funds appropriated in this subsection, \$91,000
7 shall be used for distribution to licensed classroom teachers
8 at this and other institutions under the control of the
9 department of human services based upon the average student
10 yearly enrollment at each institution as determined by the
11 department.

12 2. A portion of the moneys appropriated in this section
13 shall be used by the state training school at Eldora for
14 grants for adolescent pregnancy prevention activities at the
15 institution in the fiscal year beginning July 1, 2022.

16 3. Of the funds appropriated in this subsection, \$212,000
17 shall be used by the state training school at Eldora for a
18 substance use disorder treatment program at the institution for
19 the fiscal year beginning July 1, 2022.

20 4. Notwithstanding [section 8.33](#), moneys appropriated in
21 this section that remain unencumbered or unobligated at the
22 close of the fiscal year shall not revert but shall remain
23 available for expenditure for the purposes designated until the
24 close of the succeeding fiscal year.

25 Sec. 19. CHILD AND FAMILY SERVICES.

26 1. There is appropriated from the general fund of the
27 state to the department of human services for the fiscal year
28 beginning July 1, 2022, and ending June 30, 2023, the following
29 amount, or so much thereof as is necessary, to be used for the
30 purpose designated:

31 For child and family services:

32 \$ 93,571,677

33 2. The department may transfer funds appropriated in this
34 section as necessary to pay the nonfederal costs of services
35 reimbursed under the medical assistance program, state child

1 care assistance program, or the family investment program which
2 are provided to children who would otherwise receive services
3 paid under the appropriation in this section. The department
4 may transfer funds appropriated in this section to the
5 appropriations made in this division of this Act for general
6 administration and for field operations for resources necessary
7 to implement and operate the services funded in this section.

8 3. Of the funds appropriated in this section, up to
9 \$40,500,000 is allocated for group foster care maintenance and
10 services.

11 4. In accordance with the provisions of [section 232.188](#),
12 the department shall continue the child welfare and juvenile
13 justice funding initiative during fiscal year 2022-2023. Of
14 the funds appropriated in this section, \$1,717,000 is allocated
15 specifically for expenditure for fiscal year 2022-2023 through
16 the decategorization services funding pools and governance
17 boards established pursuant to [section 232.188](#).

18 5. A portion of the funds appropriated in this section
19 may be used for emergency family assistance to provide other
20 resources required for a family participating in a family
21 preservation or reunification project or successor project to
22 stay together or to be reunified.

23 6. Of the funds appropriated in this section, a sufficient
24 amount is allocated for shelter care and the child welfare
25 emergency services contracting implemented to provide for or
26 prevent the need for shelter care.

27 7. Federal funds received by the state during the fiscal
28 year beginning July 1, 2022, as the result of the expenditure
29 of state funds appropriated during a previous state fiscal
30 year for a service or activity funded under this section are
31 appropriated to the department to be used as additional funding
32 for services and purposes provided for under this section.
33 Notwithstanding [section 8.33](#), moneys received in accordance
34 with this subsection that remain unencumbered or unobligated at
35 the close of the fiscal year shall not revert to any fund but

1 shall remain available for the purposes designated until the
2 close of the succeeding fiscal year.

3 8. a. Of the funds appropriated in this section, up to
4 \$3,290,000 is allocated for the payment of the expenses of
5 court-ordered services provided to juveniles who are under the
6 supervision of juvenile court services, which expenses are a
7 charge upon the state pursuant to section 232.141, subsection
8 4. Of the amount allocated in this paragraph "a", up to
9 \$1,556,000 shall be made available to provide school-based
10 supervision of children adjudicated under [chapter 232](#), of which
11 not more than \$15,000 may be used for the purpose of training.
12 A portion of the cost of each school-based liaison officer
13 shall be paid by the school district or other funding source as
14 approved by the chief juvenile court officer.

15 b. Of the funds appropriated in this section, up to \$748,000
16 is allocated for the payment of the expenses of court-ordered
17 services provided to children who are under the supervision
18 of the department, which expenses are a charge upon the state
19 pursuant to [section 232.141, subsection 4](#).

20 c. Notwithstanding [section 232.141](#) or any other provision
21 of law to the contrary, the amounts allocated in this
22 subsection shall be distributed to the judicial districts
23 as determined by the state court administrator and to the
24 department's service areas as determined by the administrator
25 of the department of human services' division of child and
26 family services. The state court administrator and the
27 division administrator shall make the determination of the
28 distribution amounts on or before June 15, 2022.

29 d. Notwithstanding [chapter 232](#) or any other provision of
30 law to the contrary, a district or juvenile court shall not
31 order any service which is a charge upon the state pursuant
32 to [section 232.141](#) if there are insufficient court-ordered
33 services funds available in the district court or departmental
34 service area distribution amounts to pay for the service. The
35 chief juvenile court officer and the departmental service area

1 manager shall encourage use of the funds allocated in this
2 subsection such that there are sufficient funds to pay for
3 all court-related services during the entire year. The chief
4 juvenile court officers and departmental service area managers
5 shall attempt to anticipate potential surpluses and shortfalls
6 in the distribution amounts and shall cooperatively request the
7 state court administrator or division administrator to transfer
8 funds between the judicial districts' or departmental service
9 areas' distribution amounts as prudent.

10 e. Notwithstanding any provision of law to the contrary,
11 a district or juvenile court shall not order a county to pay
12 for any service provided to a juvenile pursuant to an order
13 entered under [chapter 232](#) which is a charge upon the state
14 under [section 232.141, subsection 4](#).

15 f. Of the funds allocated in this subsection, not more than
16 \$83,000 may be used by the judicial branch for administration
17 of the requirements under this subsection.

18 g. Of the funds allocated in this subsection, \$17,000
19 shall be used by the department of human services to support
20 the interstate commission for juveniles in accordance with
21 the interstate compact for juveniles as provided in section
22 232.173.

23 9. Of the funds appropriated in this section, \$12,253,000 is
24 allocated for juvenile delinquent graduated sanctions services.
25 Any state funds saved as a result of efforts by juvenile court
26 services to earn a federal Tit. IV-E match for juvenile court
27 services administration may be used for the juvenile delinquent
28 graduated sanctions services.

29 10. Of the funds appropriated in this section, \$1,658,000 is
30 transferred to the department of public health to be used for
31 the child protection center grant program for child protection
32 centers located in Iowa in accordance with [section 135.118](#).
33 The grant amounts under the program shall be equalized so that
34 each center receives a uniform base amount of \$245,000, and so
35 that the remaining funds are awarded through a funding formula

1 based upon the volume of children served. To increase access
2 to child protection center services for children in rural
3 areas, the funding formula for the awarding of the remaining
4 funds shall provide for the awarding of an enhanced amount to
5 eligible grantees to develop and maintain satellite centers in
6 underserved regions of the state.

7 11. Of the funds appropriated in this section, \$4,025,000 is
8 allocated for the preparation for adult living program pursuant
9 to [section 234.46](#).

10 12. Of the funds appropriated in this section, \$227,000
11 shall be used for the public purpose of continuing a grant to a
12 nonprofit human services organization, providing services to
13 individuals and families in multiple locations in southwest
14 Iowa and Nebraska for support of a project providing immediate,
15 sensitive support and forensic interviews, medical exams, needs
16 assessments, and referrals for victims of child abuse and their
17 nonoffending family members.

18 13. Of the funds appropriated in this section, \$300,000
19 is allocated for the foster care youth council approach of
20 providing a support network to children placed in foster care.

21 14. Of the funds appropriated in this section, \$202,000 is
22 allocated for use pursuant to [section 235A.1](#) for continuation
23 of the initiative to address child sexual abuse implemented
24 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection
25 21.

26 15. Of the funds appropriated in this section, \$630,000 is
27 allocated for the community partnership for child protection
28 sites.

29 16. Of the funds appropriated in this section, \$371,000
30 is allocated for the department's minority youth and family
31 projects under the redesign of the child welfare system.

32 17. Of the funds appropriated in this section, \$851,000
33 is allocated for funding of the community circle of care
34 collaboration for children and youth in northeast Iowa.

35 18. Of the funds appropriated in this section, at least

1 \$147,000 shall be used for the continuation of the child
2 welfare provider training program.

3 19. Of the funds appropriated in this section, \$211,000
4 shall be used for continuation of the central Iowa system of
5 care program grant for the purposes of funding community-based
6 services and other supports with a system of care approach for
7 children with serious emotional disturbance and their families
8 through a nonprofit provider that is located in a county
9 with a population of more than 450,000 according to the 2020
10 certified federal census, is licensed as a psychiatric medical
11 institution for children, and was a system of care grantee
12 prior to July 1, 2022.

13 20. Of the funds appropriated in this section, \$235,000
14 shall be used for the public purpose of the continuation
15 and expansion of a system of care program grant implemented
16 in Cerro Gordo and Linn counties to utilize a comprehensive
17 and long-term approach for helping children and families by
18 addressing the key areas in a child's life of childhood basic
19 needs, education and work, family, and community.

20 21. Of the funds appropriated in this section, \$110,000
21 shall be used for the public purpose of funding community-based
22 services and other supports with a system of care approach
23 for children with a serious emotional disturbance and their
24 families through a nonprofit provider of child welfare services
25 that has been in existence for more than 115 years, is located
26 in a county with a population of more than 230,000 according to
27 the 2020 certified federal census, is licensed as a psychiatric
28 medical institution for children, and was a system of care
29 grantee prior to July 1, 2022.

30 22. If a separate funding source is identified that reduces
31 the need for state funds within an allocation under this
32 section, the allocated state funds may be redistributed to
33 other allocations under this section for the same fiscal year.

34 23. Of the funds appropriated in this section, a portion may
35 be used for family-centered services for purposes of complying

1 with the federal Family First Prevention Services Act of 2018,
2 Pub. L. No. 115-123, and successor legislation.

3 24. Of the funds appropriated in this section, \$3,850,718
4 shall be used to support placements in qualified residential
5 treatment programs.

6 Sec. 20. ADOPTION SUBSIDY.

7 1. There is appropriated from the general fund of the
8 state to the department of human services for the fiscal year
9 beginning July 1, 2022, and ending June 30, 2023, the following
10 amount, or so much thereof as is necessary, to be used for the
11 purpose designated:

12 a. For adoption subsidy payments and related costs and for
13 other operations and services provided for under paragraph "b"
14 and paragraph "c", subparagraph (2):

15 \$ 40,596,007

16 b. Of the funds appropriated in this section, up to
17 \$11,000,000 may be transferred to the appropriation for
18 department-wide duties in this division of this Act to be used
19 for facility operations.

20 c. (1) Of the funds appropriated in this section remaining
21 after the transfer of funds under paragraph "b", a sufficient
22 amount is allocated for adoption subsidy payments and related
23 costs.

24 (2) Any funds appropriated in this section remaining after
25 the allocation under subparagraph (1) are designated and
26 allocated as state savings resulting from implementation of
27 the federal Fostering Connections to Success and Increasing
28 Adoptions Act of 2008, Pub. L. No. 110-351, and successor
29 legislation, as determined in accordance with 42 U.S.C.
30 §673(a)(8), and shall be used for post-adoption services and
31 for other purposes allowed under these federal laws, Tit. IV-B
32 or Tit. IV-E of the federal Social Security Act.

33 (a) The department of human services may transfer funds
34 allocated in this subparagraph (2) to the appropriation for
35 child and family services in this division of this Act for the

1 purposes designated in this subparagraph (2).

2 (b) Notwithstanding section 8.33, moneys allocated
3 under this subparagraph (2) shall not revert to any fund but
4 shall remain available for the purposes designated in this
5 subparagraph (2) until expended.

6 2. The department may transfer funds appropriated in this
7 section remaining after the transfer of funds under subsection
8 1, paragraph "b", to the appropriation made in this division
9 of this Act for general administration for costs paid from the
10 appropriation relating to adoption subsidy.

11 3. Federal funds received by the state during the
12 fiscal year beginning July 1, 2022, as the result of the
13 expenditure of state funds during a previous state fiscal
14 year for a service or activity funded under this section are
15 appropriated to the department to be used as additional funding
16 for the services and activities funded under this section.
17 Notwithstanding [section 8.33](#), moneys received in accordance
18 with this subsection that remain unencumbered or unobligated
19 at the close of the fiscal year shall not revert to any fund
20 but shall remain available for expenditure for the purposes
21 designated until the close of the succeeding fiscal year.

22 4. Notwithstanding section 8.33, moneys appropriated in
23 this section that remain unencumbered or unobligated at the
24 close of the fiscal year shall not revert but shall remain
25 available for the purposes designated until the close of the
26 succeeding fiscal year.

27 Sec. 21. JUVENILE DETENTION HOME FUND. Moneys deposited
28 in the juvenile detention home fund created in [section 232.142](#)
29 during the fiscal year beginning July 1, 2022, and ending June
30 30, 2023, are appropriated to the department of human services
31 for the fiscal year beginning July 1, 2022, and ending June 30,
32 2023, for distribution of an amount equal to a percentage of
33 the costs of the establishment, improvement, operation, and
34 maintenance of county or multicounty juvenile detention homes
35 in the fiscal year beginning July 1, 2021. Moneys appropriated

1 for distribution in accordance with this section shall be
2 allocated among eligible detention homes, prorated on the basis
3 of an eligible detention home's proportion of the costs of all
4 eligible detention homes in the fiscal year beginning July
5 1, 2021. The percentage figure shall be determined by the
6 department based on the amount available for distribution for
7 the fund. Notwithstanding [section 232.142, subsection 3](#), the
8 financial aid payable by the state under that provision for the
9 fiscal year beginning July 1, 2022, shall be limited to the
10 amount appropriated for the purposes of this section.

11 Sec. 22. FAMILY SUPPORT SUBSIDY PROGRAM.

12 1. There is appropriated from the general fund of the
13 state to the department of human services for the fiscal year
14 beginning July 1, 2022, and ending June 30, 2023, the following
15 amount, or so much thereof as is necessary, to be used for the
16 purpose designated:

17 For the family support subsidy program subject to the
18 enrollment restrictions in [section 225C.37, subsection 3](#):
19 \$ 949,282

20 2. At least \$931,536 of the moneys appropriated in this
21 section is transferred to the department of public health for
22 the family support center component of the comprehensive family
23 support program under [chapter 225C, subchapter V](#).

24 3. If at any time during the fiscal year, the amount of
25 funding available for the family support subsidy program
26 is reduced from the amount initially used to establish the
27 figure for the number of family members for whom a subsidy
28 is to be provided at any one time during the fiscal year,
29 notwithstanding [section 225C.38, subsection 2](#), the department
30 shall revise the figure as necessary to conform to the amount
31 of funding available.

32 Sec. 23. CONNER DECREE. There is appropriated from the
33 general fund of the state to the department of human services
34 for the fiscal year beginning July 1, 2022, and ending June 30,
35 2023, the following amount, or so much thereof as is necessary,

1 to be used for the purpose designated:

2 For building community capacity through the coordination
3 and provision of training opportunities in accordance with the
4 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
5 Iowa, July 14, 1994):

6 \$ 33,632

7 Sec. 24. MENTAL HEALTH INSTITUTES.

8 1. There is appropriated from the general fund of the
9 state to the department of human services for the fiscal year
10 beginning July 1, 2022, and ending June 30, 2023, the following
11 amounts, or so much thereof as is necessary, to be used for the
12 purposes designated:

13 a. For operation of the state mental health institute at
14 Cherokee as required by chapters 218 and 226 for salaries,
15 support, maintenance, and miscellaneous purposes, and for not
16 more than the following full-time equivalent positions:

17 \$ 15,613,624

18 FTEs 169.00

19 b. For operation of the state mental health institute at
20 Independence as required by chapters 218 and 226 for salaries,
21 support, maintenance, and miscellaneous purposes, and for not
22 more than the following full-time equivalent positions:

23 \$ 19,688,928

24 FTEs 208.00

25 2. a. Notwithstanding sections 218.78 and 249A.11, any
26 revenue received from the state mental health institute at
27 Cherokee or the state mental health institute at Independence
28 pursuant to 42 C.F.R. §438.6(e) may be retained and expended
29 by the mental health institute.

30 b. Notwithstanding sections 218.78 and 249A.11, any
31 COVID-19 related funding received through federal funding
32 sources by the state mental health institute at Cherokee or the
33 state mental health institute at Independence may be retained
34 and expended by the mental health institute.

35 3. Notwithstanding any provision of law to the contrary,

1 a Medicaid member residing at the state mental health
2 institute at Cherokee or the state mental health institute
3 at Independence shall retain Medicaid eligibility during
4 the period of the Medicaid member's stay for which federal
5 financial participation is available.

6 4. Notwithstanding [section 8.33](#), moneys appropriated in
7 this section that remain unencumbered or unobligated at the
8 close of the fiscal year shall not revert but shall remain
9 available for expenditure for the purposes designated until the
10 close of the succeeding fiscal year.

11 Sec. 25. STATE RESOURCE CENTERS.

12 1. There is appropriated from the general fund of the
13 state to the department of human services for the fiscal year
14 beginning July 1, 2022, and ending June 30, 2023, the following
15 amounts, or so much thereof as is necessary, to be used for the
16 purposes designated:

17 a. For the state resource center at Glenwood for salaries,
18 support, maintenance, and miscellaneous purposes:
19 \$ 16,288,739

20 b. For the state resource center at Woodward for salaries,
21 support, maintenance, and miscellaneous purposes:
22 \$ 13,409,294

23 2. The department may continue to bill for state resource
24 center services utilizing a scope of services approach used for
25 private providers of intermediate care facilities for persons
26 with an intellectual disability services, in a manner which
27 does not shift costs between the medical assistance program,
28 mental health and disability services regions, or other sources
29 of funding for the state resource centers.

30 3. The state resource centers may expand the time-limited
31 assessment and respite services during the fiscal year.

32 4. If the department's administration and the department
33 of management concur with a finding by a state resource
34 center's superintendent that projected revenues can reasonably
35 be expected to pay the salary and support costs for a new

1 employee position, or that such costs for adding a particular
2 number of new positions for the fiscal year would be less
3 than the overtime costs if new positions would not be added,
4 the superintendent may add the new position or positions. If
5 the vacant positions available to a resource center do not
6 include the position classification desired to be filled, the
7 state resource center's superintendent may reclassify any
8 vacant position as necessary to fill the desired position. The
9 superintendents of the state resource centers may, by mutual
10 agreement, pool vacant positions and position classifications
11 during the course of the fiscal year in order to assist one
12 another in filling necessary positions.

13 5. If existing capacity limitations are reached in
14 operating units, a waiting list is in effect for a service or
15 a special need for which a payment source or other funding
16 is available for the service or to address the special need,
17 and facilities for the service or to address the special need
18 can be provided within the available payment source or other
19 funding, the superintendent of a state resource center may
20 authorize opening not more than two units or other facilities
21 and begin implementing the service or addressing the special
22 need during fiscal year 2022-2023.

23 6. Notwithstanding [section 8.33](#), and notwithstanding
24 the amount limitation specified in [section 222.92](#), moneys
25 appropriated in this section that remain unencumbered or
26 unobligated at the close of the fiscal year shall not revert
27 but shall remain available for expenditure for the purposes
28 designated until the close of the succeeding fiscal year.

29 Sec. 26. SEXUALLY VIOLENT PREDATORS.

30 1. There is appropriated from the general fund of the
31 state to the department of human services for the fiscal year
32 beginning July 1, 2022, and ending June 30, 2023, the following
33 amount, or so much thereof as is necessary, to be used for the
34 purpose designated:

35 For costs associated with the commitment and treatment of

1 sexually violent predators in the unit located at the state
2 mental health institute at Cherokee, including costs of legal
3 services and other associated costs, including salaries,
4 support, maintenance, and miscellaneous purposes, and for not
5 more than the following full-time equivalent positions:

6 \$ 13,891,276
7 FTEs 140.00

8 2. Unless specifically prohibited by law, if the amount
9 charged provides for recoupment of at least the entire amount
10 of direct and indirect costs, the department of human services
11 may contract with other states to provide care and treatment
12 of persons placed by the other states at the unit for sexually
13 violent predators at Cherokee. The moneys received under
14 such a contract shall be considered to be repayment receipts
15 and used for the purposes of the appropriation made in this
16 section.

17 3. Notwithstanding [section 8.33](#), moneys appropriated in
18 this section that remain unencumbered or unobligated at the
19 close of the fiscal year shall not revert but shall remain
20 available for expenditure for the purposes designated until the
21 close of the succeeding fiscal year.

22 Sec. 27. FIELD OPERATIONS.

23 1. There is appropriated from the general fund of the
24 state to the department of human services for the fiscal year
25 beginning July 1, 2022, and ending June 30, 2023, the following
26 amount, or so much thereof as is necessary, to be used for the
27 purposes designated:

28 For field operations, including salaries, support,
29 maintenance, and miscellaneous purposes, and for not more than
30 the following full-time equivalent positions:

31 \$ 65,894,438
32 FTEs 1,589.00

33 2. Priority in filling full-time equivalent positions
34 shall be given to those positions related to child protection
35 services and eligibility determination for low-income families.

1 6. Of the funds appropriated in this section, up to \$300,000
2 shall be used as follows:

3 a. To fund not more than 1.00 full-time equivalent position
4 to address the department's responsibility to support the work
5 of the children's behavioral health system state board and
6 implementation of the services required pursuant to section
7 331.397.

8 b. To support the cost of establishing and implementing new
9 or additional services required pursuant to sections 331.397
10 and 331.397A.

11 c. Of the amount allocated, \$32,000 shall be transferred
12 to the department of public health to support the costs of
13 establishing and implementing new or additional services
14 required pursuant to sections 331.397 and 331.397A.

15 7. Of the funds appropriated in this section, \$800,000 shall
16 be used for the renovation and construction of certain nursing
17 facilities, consistent with the provisions of chapter 249K.

18 8. Of the funds appropriated under this section, \$500,000
19 shall be used for the purposes of program administration and
20 provision of pregnancy support services through the more
21 options for maternal support program created in this Act.

22 Sec. 29. DEPARTMENT-WIDE DUTIES. There is appropriated
23 from the general fund of the state to the department of human
24 services for the fiscal year beginning July 1, 2022, and ending
25 June 30, 2023, the following amount, or so much thereof as is
26 necessary, to be used for the purposes designated:

27 For salaries, support, maintenance, and miscellaneous
28 purposes at facilities under the purview of the department of
29 human services:

30 \$ 4,172,123

31 Sec. 30. VOLUNTEERS. There is appropriated from the general
32 fund of the state to the department of human services for the
33 fiscal year beginning July 1, 2022, and ending June 30, 2023,
34 the following amount, or so much thereof as is necessary, to be
35 used for the purpose designated:

1 For development and coordination of volunteer services:
2 \$ 84,686

3 Sec. 31. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
4 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE
5 DEPARTMENT OF HUMAN SERVICES.

6 1. a. (1) (a) Notwithstanding any provision of law to the
7 contrary, for the fiscal year beginning July 1, 2022, case-mix
8 nursing facilities shall be reimbursed in accordance with the
9 methodology in effect on June 30, 2022.

10 (b) For the fiscal year beginning July 1, 2022, non-case-mix
11 and special population nursing facilities shall be reimbursed
12 in accordance with the methodology in effect on June 30, 2022.

13 (c) For managed care claims, the department of human
14 services shall adjust the payment rate floor for nursing
15 facilities, annually, to maintain a rate floor that is no
16 lower than the Medicaid fee-for-service case-mix adjusted rate
17 calculated in accordance with subparagraph division (a) and
18 441 IAC 81.6. The department shall then calculate adjusted
19 reimbursement rates, including but not limited to add-on
20 payments, annually, and shall notify Medicaid managed care
21 organizations of the adjusted reimbursement rates within 30
22 days of determining the adjusted reimbursement rates. Any
23 adjustment of reimbursement rates under this subparagraph
24 division shall be budget neutral to the state budget.

25 (d) For the fiscal year beginning July 1, 2022, Medicaid
26 managed care long-term services and supports capitation rates
27 shall be adjusted to reflect the case-mix adjusted rates
28 specified pursuant to subparagraph division (a) for the patient
29 populations residing in Medicaid-certified nursing facilities.

30 (2) Medicaid managed care organizations shall adjust
31 facility-specific rates based upon payment rate listings issued
32 by the department. The rate adjustments shall be applied
33 prospectively from the effective date of the rate letter issued
34 by the department.

35 b. (1) For the fiscal year beginning July 1, 2022, the

1 department shall establish the fee-for-service pharmacy
2 dispensing fee reimbursement at \$10.38 per prescription,
3 until a cost of dispensing survey is completed. The actual
4 dispensing fee shall be determined by a cost of dispensing
5 survey performed by the department and required to be completed
6 by all medical assistance program participating pharmacies
7 every two years, adjusted as necessary to maintain expenditures
8 within the amount appropriated to the department for this
9 purpose for the fiscal year. A change in the dispensing
10 fee shall become effective following federal approval of the
11 Medicaid state plan.

12 (2) The department shall utilize an average acquisition
13 cost reimbursement methodology for all drugs covered under the
14 medical assistance program in accordance with 2012 Iowa Acts,
15 chapter 1133, section 33.

16 c. (1) For the fiscal year beginning July 1, 2022,
17 reimbursement rates for outpatient hospital services shall
18 remain at the rates in effect on June 30, 2022, subject to
19 Medicaid program upper payment limit rules, and adjusted
20 as necessary to maintain expenditures within the amount
21 appropriated to the department for this purpose for the fiscal
22 year.

23 (2) For the fiscal year beginning July 1, 2022,
24 reimbursement rates for inpatient hospital services shall
25 remain at the rates in effect on June 30, 2022, subject to
26 Medicaid program upper payment limit rules, and adjusted
27 as necessary to maintain expenditures within the amount
28 appropriated to the department for this purpose for the fiscal
29 year.

30 (3) For the fiscal year beginning July 1, 2022, under
31 both fee-for-service and managed care administration of
32 the Medicaid program, critical access hospitals shall be
33 reimbursed for inpatient and outpatient services based on the
34 hospital-specific critical access hospital cost adjustment
35 factor methodology utilizing the most recent and complete cost

1 reporting period as applied prospectively within the funds
2 appropriated for such purpose for the fiscal year.

3 (4) For the fiscal year beginning July 1, 2022, the graduate
4 medical education and disproportionate share hospital fund
5 shall remain at the amount in effect on June 30, 2022, except
6 that the portion of the fund attributable to graduate medical
7 education shall be reduced in an amount that reflects the
8 elimination of graduate medical education payments made to
9 out-of-state hospitals.

10 (5) In order to ensure the efficient use of limited state
11 funds in procuring health care services for low-income Iowans,
12 funds appropriated in this Act for hospital services shall
13 not be used for activities which would be excluded from a
14 determination of reasonable costs under the federal Medicare
15 program pursuant to 42 U.S.C. §1395x(v)(1)(N).

16 d. For the fiscal year beginning July 1, 2022, reimbursement
17 rates for hospices and acute psychiatric hospitals shall be
18 increased in accordance with increases under the federal
19 Medicare program or as supported by their Medicare audited
20 costs.

21 e. For the fiscal year beginning July 1, 2022, independent
22 laboratories and rehabilitation agencies shall be reimbursed
23 using the same methodology in effect on June 30, 2022.

24 f. (1) For the fiscal year beginning July 1, 2022,
25 reimbursement rates for home health agencies shall continue to
26 be based on the Medicare low utilization payment adjustment
27 (LUPA) methodology with state geographic wage adjustments. The
28 department shall continue to update the rates every two years
29 to reflect the most recent Medicare LUPA rates.

30 (2) For the fiscal year beginning July 1, 2022, the
31 department shall create a reimbursement rate structure that
32 provides incentives to home health care providers located in
33 rural areas and providing home health care to Medicaid members,
34 within the \$1,777,082 appropriated for this purpose. The rate
35 structure shall include a telehealth component to incentivize

1 the provision of necessary supervision for skilled care without
2 requiring travel time. For the purposes of this subparagraph
3 (2), "rural area" means an area that is not an Iowa core based
4 statistical area as defined by the federal office of management
5 and budget.

6 (3) For the fiscal year beginning July 1, 2022, rates for
7 private duty nursing and personal care services under the early
8 and periodic screening, diagnostic, and treatment program
9 benefit shall be calculated based on the methodology in effect
10 on June 30, 2022.

11 g. For the fiscal year beginning July 1, 2022, federally
12 qualified health centers and rural health clinics shall receive
13 cost-based reimbursement for 100 percent of the reasonable
14 costs for the provision of services to recipients of medical
15 assistance.

16 h. For the fiscal year beginning July 1, 2022, the
17 reimbursement rates for dental services shall remain at the
18 rates in effect on June 30, 2022.

19 i. (1) For the fiscal year beginning July 1, 2022,
20 reimbursement rates for non-state-owned psychiatric medical
21 institutions for children shall be based on the reimbursement
22 methodology in effect on June 30, 2022.

23 (2) As a condition of participation in the medical
24 assistance program, enrolled providers shall accept the medical
25 assistance reimbursement rate for any covered goods or services
26 provided to recipients of medical assistance who are children
27 under the custody of a psychiatric medical institution for
28 children.

29 j. For the fiscal year beginning July 1, 2022, unless
30 otherwise specified in this Act, all noninstitutional medical
31 assistance provider reimbursement rates shall remain at the
32 rates in effect on June 30, 2022, except for area education
33 agencies, local education agencies, infant and toddler
34 services providers, home and community-based services providers
35 including consumer-directed attendant care providers under a

1 section 1915(c) or 1915(i) waiver, targeted case management
2 providers, and those providers whose rates are required to be
3 determined pursuant to [section 249A.20](#), or to meet federal
4 mental health parity requirements.

5 k. Notwithstanding any provision to the contrary, for the
6 fiscal year beginning July 1, 2022, the reimbursement rate for
7 anesthesiologists shall remain at the rates in effect on June
8 30, 2022, and updated on January 1, 2023, to align with the
9 most current Iowa Medicare anesthesia rate.

10 l. Notwithstanding [section 249A.20](#), for the fiscal year
11 beginning July 1, 2022, the average reimbursement rate for
12 health care providers eligible for use of the federal Medicare
13 resource-based relative value scale reimbursement methodology
14 under [section 249A.20](#) shall remain at the rate in effect on
15 June 30, 2022; however, this rate shall not exceed the maximum
16 level authorized by the federal government.

17 m. For the fiscal year beginning July 1, 2022, the
18 reimbursement rate for residential care facilities shall not
19 be less than the minimum payment level as established by the
20 federal government to meet the federally mandated maintenance
21 of effort requirement. The flat reimbursement rate for
22 facilities electing not to file annual cost reports shall not
23 be less than the minimum payment level as established by the
24 federal government to meet the federally mandated maintenance
25 of effort requirement.

26 n. (1) For the fiscal year beginning July 1, 2022, the
27 reimbursement rates for inpatient mental health services
28 provided at hospitals shall remain at the rates in effect on
29 June 30, 2022, subject to Medicaid program upper payment limit
30 rules and adjusted as necessary to maintain expenditures within
31 the amount appropriated to the department for this purpose for
32 the fiscal year; and psychiatrists shall be reimbursed at the
33 medical assistance program fee-for-service rate in effect on
34 June 30, 2022.

35 (2) Notwithstanding any conflicting application of

1 subparagraph (1), if 2022 Iowa Acts, House File 2546, is
2 enacted, by January 1, 2023, the department of human services
3 shall implement a tiered rate reimbursement methodology for
4 psychiatric intensive inpatient care utilizing the tiered rate
5 reimbursement methodology developed in accordance with that
6 Act, subject to the limitations of the appropriation made for
7 this purpose.

8 o. For the fiscal year beginning July 1, 2022, community
9 mental health centers may choose to be reimbursed for the
10 services provided to recipients of medical assistance through
11 either of the following options:

12 (1) For 100 percent of the reasonable costs of the services.

13 (2) In accordance with the alternative reimbursement rate
14 methodology approved by the department of human services in
15 effect on June 30, 2022.

16 p. For the fiscal year beginning July 1, 2022, the
17 reimbursement rate for providers of family planning services
18 that are eligible to receive a 90 percent federal match shall
19 remain at the rates in effect on June 30, 2022.

20 q. For the fiscal year beginning July 1, 2022, reimbursement
21 rates for intermediate care facility for persons with an
22 intellectual disability providers shall be increased over
23 the rates in effect on June 30, 2022, within the \$1,339,971
24 appropriated for this purpose. The entire rate increase
25 shall be used for wages and associated costs specific to
26 wages, benefits, and required withholding of direct support
27 professionals and frontline management.

28 r. For the fiscal year beginning July 1, 2022, the
29 reimbursement rates for emergency medical service providers
30 shall remain at the rates in effect on June 30, 2022, or as
31 approved by the centers for Medicare and Medicaid services of
32 the United States department of health and human services.

33 s. For the fiscal year beginning July 1, 2022, reimbursement
34 rates for substance-related disorder treatment programs
35 licensed under [section 125.13](#) shall remain at the rates in

1 effect on June 30, 2022.

2 t. For the fiscal year beginning July 1, 2022, assertive
3 community treatment per diem rates shall remain at the rates in
4 effect on June 30, 2022.

5 u. For the fiscal year beginning July 1, 2022, the
6 reimbursement rate for family-centered services providers shall
7 be established by contract.

8 v. For the fiscal year beginning July 1, 2022, the
9 reimbursement rate for air ambulance services shall remain at
10 the rate in effect on June 30, 2022.

11 w. For the fiscal year beginning July 1, 2022, all applied
12 behavioral analysis services reimbursement rates shall be
13 increased over the rates in effect on June 30, 2022, within the
14 \$385,000 appropriated for this purpose.

15 x. For the fiscal year beginning July 1, 2022, all
16 behavioral health intervention services reimbursement rates
17 shall be increased over the rates in effect on June 30, 2022,
18 within the \$1,277,082 appropriated for this purpose. The
19 entire rate increase shall be used for wages and associated
20 costs specific to wages, benefits, and required withholding of
21 direct support professionals and frontline management.

22 2. For the fiscal year beginning July 1, 2022, the
23 reimbursement rate for providers reimbursed under the
24 in-home-related care program shall not be less than the minimum
25 payment level as established by the federal government to meet
26 the federally mandated maintenance of effort requirement.

27 3. Unless otherwise directed in this section, when the
28 department's reimbursement methodology for any provider
29 reimbursed in accordance with this section includes an
30 inflation factor, this factor shall not exceed the amount
31 by which the consumer price index for all urban consumers
32 increased during the most recently ended calendar year.

33 4. Notwithstanding [section 234.38](#), for the fiscal
34 year beginning July 1, 2022, the foster family basic daily
35 maintenance rate and the maximum adoption subsidy rate for

1 children ages 0 through 5 years shall be \$16.78, the rate for
2 children ages 6 through 11 years shall be \$17.45, the rate for
3 children ages 12 through 15 years shall be \$19.10, and the
4 rate for children and young adults ages 16 and older shall
5 be \$19.35. For youth ages 18 to 23 who have exited foster
6 care, the preparation for adult living program maintenance
7 rate shall be up to \$602.70 per month as calculated based on
8 the age of the participant. The maximum payment for adoption
9 subsidy nonrecurring expenses shall be limited to \$500 and the
10 disallowance of additional amounts for court costs and other
11 related legal expenses implemented pursuant to 2010 Iowa Acts,
12 chapter 1031, section 408, shall be continued.

13 5. For the fiscal year beginning July 1, 2022, the maximum
14 reimbursement rates for social services providers under
15 contract shall remain at the rates in effect on June 30, 2022,
16 or the provider's actual and allowable cost plus inflation for
17 each service, whichever is less. However, if a new service
18 or service provider is added after June 30, 2022, the initial
19 reimbursement rate for the service or provider shall be based
20 upon a weighted average of provider rates for similar services.

21 6. a. For the fiscal year beginning July 1, 2022, the
22 reimbursement rates for resource family recruitment and
23 retention contractors shall be established by contract.

24 b. For the fiscal year beginning July 1, 2022, the
25 reimbursement rates for supervised apartment living foster care
26 providers shall be established by contract.

27 7. For the fiscal year beginning July 1, 2022, the
28 reimbursement rate for group foster care providers shall be the
29 combined service and maintenance reimbursement rate established
30 by contract.

31 8. The group foster care reimbursement rates paid for
32 placement of children out of state shall be calculated
33 according to the same rate-setting principles as those used for
34 in-state providers, unless the director of human services or
35 the director's designee determines that appropriate care cannot

1 be provided within the state. The payment of the daily rate
2 shall be based on the number of days in the calendar month in
3 which service is provided.

4 9. a. For the fiscal year beginning July 1, 2022, the
5 reimbursement rate paid for shelter care and the child welfare
6 emergency services implemented to provide or prevent the need
7 for shelter care shall be established by contract.

8 b. For the fiscal year beginning July 1, 2022, the combined
9 service and maintenance components of the per day reimbursement
10 rate paid for shelter care services shall be based on the
11 financial and statistical report submitted to the department.
12 The maximum per day reimbursement rate shall be the maximum
13 per day reimbursement rate in effect on June 30, 2022, as
14 increased within the \$649,029 appropriated for this purpose.
15 The department shall reimburse a shelter care provider at the
16 provider's actual and allowable unit cost, plus inflation, not
17 to exceed the maximum reimbursement rate.

18 10. For the fiscal year beginning July 1, 2022, the
19 department shall calculate reimbursement rates for intermediate
20 care facilities for persons with an intellectual disability
21 at the 80th percentile. Beginning July 1, 2022, the rate
22 calculation methodology shall utilize the consumer price index
23 inflation factor applicable to the fiscal year beginning July
24 1, 2022.

25 11. Effective July 1, 2022, child care provider
26 reimbursement rates shall remain at the rates in effect on June
27 30, 2022. The department shall set rates in a manner so as
28 to provide incentives for a nonregistered provider to become
29 registered by applying any increase only to registered and
30 licensed providers.

31 12. The department may adopt emergency rules to implement
32 this section.

33 Sec. 32. EMERGENCY RULES.

34 1. If necessary to comply with federal requirements
35 including time frames, or if specifically authorized by a

1 provision of this division of this Act, the department of
2 human services or the mental health and disability services
3 commission may adopt administrative rules under section 17A.4,
4 subsection 3, and section 17A.5, subsection 2, paragraph "b",
5 to implement the provisions of this division of this Act and
6 the rules shall become effective immediately upon filing or
7 on a later effective date specified in the rules, unless the
8 effective date of the rules is delayed or the applicability
9 of the rules is suspended by the administrative rules review
10 committee. Any rules adopted in accordance with this section
11 shall not take effect before the rules are reviewed by the
12 administrative rules review committee. The delay authority
13 provided to the administrative rules review committee under
14 section 17A.8, subsections 9 and 10, shall be applicable to a
15 delay imposed under this section, notwithstanding a provision
16 in those subsections making them inapplicable to section 17A.5,
17 subsection 2, paragraph "b". Any rules adopted in accordance
18 with the provisions of this section shall also be published as
19 a notice of intended action as provided in section 17A.4.

20 2. If during a fiscal year, the department of human
21 services is adopting rules in accordance with this section
22 or as otherwise directed or authorized by state law, and
23 the rules will result in an expenditure increase beyond the
24 amount anticipated in the budget process or if the expenditure
25 was not addressed in the budget process for the fiscal
26 year, the department shall notify the general assembly and
27 the department of management concerning the rules and the
28 expenditure increase. The notification shall be provided at
29 least 30 calendar days prior to the date notice of the rules
30 is submitted to the administrative rules coordinator and the
31 administrative code editor.

32 Sec. 33. REPORTS. Unless otherwise provided, any reports or
33 other information required to be compiled and submitted under
34 this Act during the fiscal year beginning July 1, 2022, shall
35 be submitted on or before the dates specified for submission

1 of the reports or information.

2 Sec. 34. EFFECTIVE UPON ENACTMENT. The following provision
3 of this division of this Act, being deemed of immediate
4 importance, takes effect upon enactment:

5 The provision relating to [section 232.141](#) and directing the
6 state court administrator and the division administrator of
7 the department of human services division of child and family
8 services to make the determination, by June 15, 2022, of the
9 distribution of funds allocated for the payment of the expenses
10 of court-ordered services provided to juveniles which are a
11 charge upon the state.

12 DIVISION VI

13 HEALTH CARE ACCOUNTS AND FUNDS — FY 2022-2023

14 Sec. 35. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
15 appropriated from the pharmaceutical settlement account created
16 in [section 249A.33](#) to the department of human services for the
17 fiscal year beginning July 1, 2022, and ending June 30, 2023,
18 the following amount, or so much thereof as is necessary, to be
19 used for the purpose designated:

20 Notwithstanding any provision of law to the contrary, to
21 supplement the appropriations made in this Act for health
22 program operations under the medical assistance program for the
23 fiscal year beginning July 1, 2022, and ending June 30, 2023:

24 \$ 234,193

25 Sec. 36. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN
26 SERVICES. Notwithstanding any provision to the contrary and
27 subject to the availability of funds, there is appropriated
28 from the quality assurance trust fund created in section
29 249L.4 to the department of human services for the fiscal year
30 beginning July 1, 2022, and ending June 30, 2023, the following
31 amounts, or so much thereof as is necessary, for the purposes
32 designated:

33 To supplement the appropriation made in this Act from the
34 general fund of the state to the department of human services
35 for medical assistance for the same fiscal year:

1 \$ 56,305,139

2 Sec. 37. HOSPITAL HEALTH CARE ACCESS TRUST FUND —
3 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to
4 the contrary and subject to the availability of funds, there is
5 appropriated from the hospital health care access trust fund
6 created in section 249M.4 to the department of human services
7 for the fiscal year beginning July 1, 2022, and ending June
8 30, 2023, the following amounts, or so much thereof as is
9 necessary, for the purposes designated:

10 To supplement the appropriation made in this Act from the
11 general fund of the state to the department of human services
12 for medical assistance for the same fiscal year:

13 \$ 33,920,554

14 Sec. 38. MEDICAL ASSISTANCE PROGRAM — NONREVERSION
15 FOR FY 2022-2023. Notwithstanding section 8.33, if moneys
16 appropriated for purposes of the medical assistance program for
17 the fiscal year beginning July 1, 2022, and ending June 30,
18 2023, from the general fund of the state, the quality assurance
19 trust fund, and the hospital health care access trust fund, are
20 in excess of actual expenditures for the medical assistance
21 program and remain unencumbered or unobligated at the close
22 of the fiscal year, the excess moneys shall not revert but
23 shall remain available for expenditure for the purposes of the
24 medical assistance program until the close of the succeeding
25 fiscal year.

26 DIVISION VII

27 DECATEGORIZATION CARRYOVER FUNDING

28 Sec. 39. DECATEGORIZATION CARRYOVER FUNDING FY 2020 —
29 TRANSFER TO MEDICAID PROGRAM. Notwithstanding section 232.188,
30 subsection 5, paragraph "b", any state-appropriated moneys in
31 the funding pool that remained unencumbered or unobligated
32 at the close of the fiscal year beginning July 1, 2019, and
33 were deemed carryover funding to remain available for the two
34 succeeding fiscal years that still remain unencumbered or
35 unobligated at the close of the fiscal year beginning July 1,

1 2021, shall not revert but shall be transferred to the medical
2 assistance program for the fiscal year beginning July 1, 2022.

3 Sec. 40. EFFECTIVE DATE. This division of this Act, being
4 deemed of immediate importance, takes effect upon enactment.

5 Sec. 41. RETROACTIVE APPLICABILITY. This division of this
6 Act applies retroactively to July 1, 2021.

7 DIVISION VIII

8 TRANSFER OF PROPERTY TAX RELIEF FUND BALANCE

9 Sec. 42. TRANSFER OF PROPERTY TAX RELIEF FUND BALANCE —
10 FY 2021-2022. Notwithstanding any provision to the contrary,
11 any funds remaining in the property tax relief fund created
12 in section 426B.1 at the close of the fiscal year beginning
13 July 1, 2021, shall be transferred to the region incentive fund
14 created in the mental health and disability services regional
15 service fund pursuant to section 225C.7A.

16 Sec. 43. EFFECTIVE DATE. This division of this Act, being
17 deemed of immediate importance, takes effect upon enactment.

18 DIVISION IX

19 PRIOR APPROPRIATIONS AND OTHER PROVISIONS

20 FAMILY INVESTMENT PROGRAM GENERAL FUND

21 Sec. 44. 2021 Iowa Acts, chapter 182, section 9, is amended
22 by adding the following new subsection:

23 NEW SUBSECTION. 7. Notwithstanding section 8.33, moneys
24 appropriated in this section that remain unencumbered or
25 unobligated at the close of the fiscal year shall not revert
26 but shall remain available for one-time purposes, and may be
27 transferred to the appropriation in this division of this Act
28 for general administration for technology purposes, until the
29 close of the succeeding fiscal year.

30 CHILD AND FAMILY SERVICES

31 Sec. 45. 2021 Iowa Acts, chapter 182, section 19, is amended
32 by adding the following new subsection:

33 NEW SUBSECTION. 24. Notwithstanding section 8.33, moneys
34 appropriated in this section that remain unencumbered or
35 unobligated at the close of the fiscal year shall not revert

1 but shall remain available for the purposes designated until
2 the close of the succeeding fiscal year.

3 ADOPTION SUBSIDY

4 Sec. 46. 2021 Iowa Acts, chapter 182, section 20, is amended
5 by adding the following new subsection:

6 NEW SUBSECTION. 4. Notwithstanding section 8.33, moneys
7 appropriated in this section that remain unencumbered or
8 unobligated at the close of the fiscal year shall not revert
9 but shall remain available for the purposes designated until
10 the close of the succeeding fiscal year.

11 FIELD OPERATIONS

12 Sec. 47. 2021 Iowa Acts, chapter 182, section 27, is amended
13 by adding the following new subsection:

14 NEW SUBSECTION. 3. Notwithstanding section 8.33, moneys
15 appropriated in this section that remain unencumbered or
16 unobligated at the close of the fiscal year shall not revert
17 but shall remain available for one-time expenditure purposes
18 until the close of the succeeding fiscal year.

19 GENERAL ADMINISTRATION

20 Sec. 48. 2021 Iowa Acts, chapter 182, section 28, is amended
21 by adding the following new subsection:

22 NEW SUBSECTION. 8. Notwithstanding section 8.33, moneys
23 appropriated in this section that remain unencumbered or
24 unobligated at the close of the fiscal year shall not revert
25 but shall remain available for one-time expenditure purposes
26 until the close of the succeeding fiscal year.

27 Sec. 49. EFFECTIVE DATE. This division of this Act, being
28 deemed of immediate importance, takes effect upon enactment.

29 DIVISION X

30 PUBLIC HEALTH EMERGENCY PROVISIONS COVID-19 REGULATIONS

31 Sec. 50. COVID-19 FEDERAL REGULATIONS. For the time
32 period beginning on the effective date of this division of
33 this Act, and ending June 30, 2023, notwithstanding state
34 administrative rules to the contrary, to the extent federal
35 regulations relating to the COVID-19 pandemic differ from state

1 administrative rules, including applicable federal waivers,
2 the federal regulations are controlling during the pendency of
3 the federally declared state of emergency and for such period
4 of time following the end of the federally declared state of
5 emergency applicable to the respective federal regulations.

6 DIVISION XI

7 HEALTH AND HUMAN SERVICES REALIGNMENT

8 Sec. 51. TRANSITION OF DEPARTMENT OF HUMAN SERVICES AND
9 DEPARTMENT OF PUBLIC HEALTH INTO DEPARTMENT OF HEALTH AND HUMAN
10 SERVICES.

11 1. Definitions. For the purposes of this section:

12 a. "Department of health and human services" or
13 "department" means the department of health and human services
14 created under this section.

15 b. "Transition department" means the department of human
16 services or the department of public health.

17 c. "Transition departments" means the department of human
18 services and the department of public health.

19 d. "Transition period" means the period beginning July 1,
20 2022, and ending June 30, 2023.

21 2. Creation of department of health and human services
22 — transition period — powers and duties. Notwithstanding
23 any conflicting provision of law to the contrary, there is
24 created a department of health and human services. During
25 the transition period, the department of health and human
26 services shall have and may exercise all of the policymaking
27 functions, regulatory and enforcement powers, rights, duties,
28 and responsibilities of the department of human services and
29 the department of public health as prescribed by law or rule
30 in effect on July 1, 2022, including but not limited to those
31 relating to:

32 a. All obligations and contracts of a transition
33 department, including obligations and contracts related to a
34 grant program.

35 b. All property and records in the custody of a transition

1 department.

2 c. All funds appropriated to a transition department by the
3 general assembly and all state, federal, and other funds for
4 which expenditure by a transition department is authorized.

5 d. Complaints, investigations, contested cases, causes of
6 action, and statutes of limitations involving a transition
7 department.

8 (1) All complaints, investigations, contested cases, or
9 a remand of an action by a reviewing court pending before a
10 transition department or an authorized person of a transition
11 department shall continue without change in status before
12 the department and shall be governed by the laws and rules
13 applicable to the complaint, investigation, contested case, or
14 remand action or proceeding in effect on July 1, 2022.

15 (2) Any cause of action or statute of limitation relating
16 to a transition department shall not be affected as a result
17 of the transition and such cause of action or statute of
18 limitation shall apply to the department.

19 e. Rules, policies, and forms. All rules, policies, and
20 forms adopted by or on behalf of a transition department shall
21 become rules, policies, and forms of the department and shall
22 remain in effect unless altered by the department.

23 f. Licenses, permits, and certifications. All licenses,
24 permits, and certifications issued by a transition department
25 shall continue in effect as a license, permit, or certification
26 of the department in accordance with the law or rule governing
27 the license, permit, or certification in effect on July 1,
28 2022, until the license, permit, or certification expires, is
29 suspended or revoked, or otherwise becomes invalid by the terms
30 of such law or rule.

31 g. References to a department or director. All references
32 to the department of public health or the department of human
33 services in law or in rule shall be interpreted to mean the
34 department of health and human services, and all references to
35 the director of public health or the director of human services

1 shall be interpreted to mean the director of the department of
2 health and human services.

3 h. Departmental structure.

4 (1) Any transition department, transition department
5 subunit, or transition department body created or established
6 by law and in existence on July 1, 2022, shall continue in
7 full force and effect and shall not be permanently abolished,
8 merged, or otherwise altered until amended, repealed, or
9 supplemented by action of the general assembly.

10 (2) This paragraph shall not prohibit a transition
11 department, transition department subunit, or transition
12 department body created or established by law in existence on
13 July 1, 2022, from sharing or coordinating responsibilities
14 or functions under their respective purviews nor prohibit
15 the director from temporarily integrating such departments,
16 subunits, or bodies or the responsibilities or functions under
17 their respective purviews in furtherance of the transition plan
18 during the transition period.

19 3. Transition period leadership. During the transition
20 period, the director of human services shall continue to act
21 as the director of human services, shall assume the duties
22 of the director of public health, shall act as the director
23 of the department of health and human services, and may
24 thereby exercise any policymaking functions, regulatory and
25 enforcement powers, rights, duties, and responsibilities of the
26 director of human services and the director of public health
27 including those duties prescribed by law for the department
28 of human services or the department of public health in
29 effect on July 1, 2022. Notwithstanding any provision to the
30 contrary, the director of the department of health and human
31 services shall also be vested with administrative authority
32 to direct transition department employees with regard to the
33 implementation of statutory directives for the transition
34 departments or the boards, commissions, or other bodies
35 administratively supported by the transition departments,

1 including boards administering the requirements of chapter
2 272C.

3 4. Federal authorization and effective date of
4 authorizations. If a transition department or the department
5 determines that a waiver or authorization from the federal
6 government is necessary to administer any provision of
7 this section, the department shall request the waiver or
8 authorization, and notwithstanding any other effective date to
9 the contrary, the provision shall take effect only upon receipt
10 of federal approval.

11 5. Initial written transition plan.

12 a. On or before September 30, 2022, the transition
13 departments or department shall publish on their respective
14 internet sites an initial written transition plan for merging
15 the functions of the transition departments into the department
16 of health and human services effective July 1, 2023, in order
17 to do all of the following:

18 (1) More efficiently and effectively manage health and
19 human services programs that are the responsibility of the
20 state.

21 (2) Establish a health and human services policy for the
22 state.

23 (3) Promote health and the quality of life in the health and
24 human services field.

25 b. The transition plan shall describe, at a minimum, all of
26 the following:

27 (1) The tasks that require completion before July 1, 2023,
28 including a description of how the transition departments shall
29 solicit comment from stakeholders, including employees of the
30 transition departments, clients and partners of the transition
31 departments, members of the public, and members of the general
32 assembly.

33 (2) The proposed organizational structure of the
34 department, at a minimum, including the division level of
35 the table of organization. Any personnel in the state merit

1 system of employment who are mandatorily transferred due to the
2 transition shall be so transferred without any loss in salary,
3 benefits, or accrued years of service.

4 (3) Proposed changes to any transition department boards,
5 commissions, committees, councils, or other bodies and their
6 functions.

7 (4) Office space and infrastructure requirements related
8 to the transition.

9 (5) Any work site location changes for transitioning
10 employees.

11 (6) The transition of service delivery sites.

12 (7) Procedures for the transfer and reconciliation of
13 budgeting and funding between the transition departments and
14 the department.

15 (8) The transition of technology services of the transition
16 departments to the department.

17 (9) Any additional known tasks that may require completion
18 after the transition on July 1, 2023.

19 c. The written transition plan published under paragraph
20 "b" shall:

21 (1) Include a detailed timeline for the completion of the
22 tasks described.

23 (2) Be updated quarterly during the remainder of the
24 transition period.

25 (3) Describe how information will be provided to clients
26 of the transition departments and the department regarding any
27 changes in service delivery.

28 (4) Describe how the transition to the department will be
29 funded, including how expenses associated with the transition
30 will be managed; how funding for services provided by the
31 transition departments will be managed to ensure provision
32 of services by the transition departments and the department
33 without interruption; and how federal funds will be used by
34 or transferred between the transition departments and the
35 department to ensure provision of services by the transition

1 departments and the department without interruption.
2 6. Statutory and administrative rule updates.
3 a. Legislative changes required to implement the
4 transition. Additional legislation is necessary to fully
5 implement the transition. The director of the department
6 of health and human services shall, in compliance with
7 section 2.16, prepare draft legislation for submission to the
8 legislative services agency, as necessary, for consideration
9 by the general assembly during the 2023 legislative
10 session, to implement the transition effective July 1, 2023.
11 Notwithstanding any provision to the contrary in section 2.16,
12 the draft legislation shall be submitted to the legislative
13 services agency by October 1, 2022.
14 b. Update of administrative code required by the
15 transition. In updating references and the format in the
16 Iowa administrative code, in order to correspond to the
17 transferring of duties of the transition departments, the
18 administrative rules coordinator and the administrative rules
19 review committee, in consultation with the administrative code
20 editor, shall collectively develop a schedule for the necessary
21 updating of the Iowa administrative code.

22 DIVISION XII

23 NON-STATE GOVERNMENT-OWNED NURSING FACILITY QUALITY
24 OF CARE RATE ADD-ON PROGRAM

25 Sec. 52. Section 249L.2, subsections 6 and 7, Code 2022, are
26 amended by striking the subsections.

27 Sec. 53. Section 249L.2, subsection 8, Code 2022, is amended
28 to read as follows:

29 8. *"Nursing facility"* means a licensed nursing facility as
30 defined in [section 135C.1](#) that is a freestanding facility or
31 a nursing facility operated by a hospital licensed pursuant
32 to [chapter 135B](#), but does not include a distinct-part skilled
33 nursing unit or a swing-bed unit operated by a hospital, or
34 a nursing facility owned by the state or federal government
35 or other governmental unit. ~~*"Nursing facility"* includes a~~

1 ~~non-state government-owned nursing facility if the nursing~~
2 ~~facility participates in the non-state government-owned nursing~~
3 ~~facility quality of care rate add-on program.~~

4 Sec. 54. REPEAL. 2019 Iowa Acts, chapter 85, sections 103,
5 104, and 108, are repealed.

6 Sec. 55. REPEAL. 2020 Iowa Acts, chapter 1063, section 390,
7 is repealed.

8 DIVISION XIII

9 HEARING AIDS AND AUDIOLOGIC SERVICES FUNDING PROGRAM —

10 FY 2021-2022 NONREVERSION

11 Sec. 56. 2021 Iowa Acts, chapter 182, section 3, subsection
12 2, paragraph e, is amended to read as follows:

13 e. Of the funds appropriated in this subsection, \$156,000
14 shall be used to provide audiological services and hearing
15 aids for children. Notwithstanding section 8.33, moneys
16 appropriated in this paragraph that remain unencumbered or
17 unobligated at the close of the fiscal year shall not revert
18 but shall remain available for expenditure for the purposes
19 designated until the close of the succeeding fiscal year. The
20 amount that does not revert shall be reported by the department
21 to the general assembly.

22 Sec. 57. EFFECTIVE DATE. This division of this Act, being
23 deemed of immediate importance, takes effect upon enactment.

24 DIVISION XIV

25 ADMISSION OR TRANSFER OF PERSONS WITH A DIAGNOSIS OF AN
26 INTELLECTUAL DISABILITY TO A STATE MENTAL HEALTH INSTITUTE

27 Sec. 58. Section 4.1, subsection 9A, Code 2022, is amended
28 by striking the subsection and inserting in lieu thereof the
29 following:

30 9A. "*Intellectual disability*" means a diagnosis of
31 intellectual disability or intellectual developmental disorder,
32 global developmental delay, or unspecified intellectual
33 disability or intellectual developmental disorder which
34 diagnosis shall be made only when the onset of the person's
35 condition was during the developmental period and based on an

1 assessment of the person's intellectual functioning and level
2 of adaptive skills. A diagnosis of intellectual disability
3 shall be made by a licensed psychologist or psychiatrist who
4 is professionally trained to administer the tests required to
5 assess intellectual functioning and to evaluate a person's
6 adaptive skills and shall be made in accordance with the
7 criteria provided in the current version of the diagnostic
8 and statistical manual of mental disorders published by the
9 American psychiatric association.

10 Sec. 59. Section 226.8, Code 2022, is amended to read as
11 follows:

12 **226.8 Persons with a diagnosis of an intellectual disability**
13 **~~not receivable — exception — admission or transfer to state~~**
14 **mental health institute.**

15 1. A Admission or transfer pursuant to section 222.7 to
16 a state mental health institute of a person who has with a
17 diagnosis of an intellectual disability, as defined in section
18 4.1, shall not be admitted, or transferred pursuant to section
19 222.7, to a state mental health institute unless a professional
20 diagnostic evaluation indicates that such only occur under the
21 following conditions:

22 a. If all of the following requirements are met:

23 (1) The person has been determined by the state mental
24 health institute to meet admission criteria for inpatient
25 psychiatric care.

26 (2) The state mental health institute has determined the
27 person will benefit from psychiatric treatment or from some
28 other specific program available at the state mental health
29 institute to which it is proposed to admit or transfer the
30 person.

31 (3) There is sufficient capacity available at the state
32 mental health institute to support the needs of the person.

33 b. If determined appropriate for the person at the
34 sole discretion of the director of human services, the
35 administrator, or the director's or administrator's designee.

1 confidentiality training.

2 DIVISION XVI
3 MEDICAID AND HAWK-I PROGRAMS — INSURANCE PROVISIONS
4 APPLICABILITY

5 Sec. 63. NEW SECTION. 505.34 **Medical assistance and hawk-i**
6 **programs — applicability of subtitle.**

7 1. The medical assistance program under chapter 249A and the
8 healthy and well kids in Iowa (hawk-i) program under chapter
9 514I shall not be subject to this subtitle unless otherwise
10 provided by law.

11 2. A managed care organization acting pursuant to a contract
12 with the department of human services to administer the medical
13 assistance program under chapter 249A, or the healthy and well
14 kids in the Iowa (hawk-i) program under chapter 514I, shall not
15 be subject to this subtitle unless otherwise provided by law.

16 Sec. 64. Section 514B.32, Code 2022, is amended by adding
17 the following new subsection:

18 NEW SUBSECTION. 5. The provisions of this chapter shall be
19 applicable to a managed care organization acting pursuant to a
20 contract with the department of human services to administer
21 the medical assistance program under chapter 249A, or the
22 healthy and well kids in Iowa (hawk-i) program under chapter
23 514I, only with respect to licensure and solvency standards
24 as evidenced by the managed care organization obtaining
25 and maintaining a certificate of authority, and maintaining
26 compliance with the solvency standards set forth in this
27 chapter.

28 Sec. 65. Section 514I.2, subsection 9, Code 2022, is amended
29 to read as follows:

30 9. *“Participating insurer”* means any of the following:

31 a. An entity licensed by the division of insurance of the
32 department of commerce to provide health insurance in Iowa that
33 has contracted with the department to provide health insurance
34 coverage to eligible children under **this chapter**.

35 b. A managed care organization acting pursuant to a contract

1 with the department of human services to administer the hawk-i
2 program.

3 Sec. 66. Section 514I.5, subsection 9, Code 2022, is amended
4 to read as follows:

5 9. The hawk-i board shall monitor the capacity of Medicaid
6 managed care organizations acting pursuant to a contract with
7 the department to administer the hawk-i program to specifically
8 and appropriately address the unique needs of children and
9 children's health delivery.

10

DIVISION XVII

11

MORE OPTIONS FOR MATERNAL SUPPORT PROGRAM — MEDICAID

12

POSTPARTUM COVERAGE REPORT

13

Sec. 67. NEW SECTION. 217.41C More options for maternal

14

support program.

15

1. a. The department of human services shall create the

16

more options for maternal support program, a statewide program
17 to promote healthy pregnancies and childbirth through nonprofit
18 organizations that provide pregnancy support services.

19

b. The more options for maternal support program is designed

20

to do all of the following:

21

(1) Provide an approach and personalized support to

22

pregnant women to provide stabilization to families.

23

(2) Promote improved pregnancy outcomes, including reducing

24

abortions, by helping women practice sound health-related

25

behaviors and improve prenatal nutrition.

26

(3) Improve child health and development by helping parents

27

provide responsible and competent care for their children.

28

(4) Improve family economic self-sufficiency by linking

29

parents to services that address individual economic and social

30

needs.

31

c. For the purposes of this section, "*pregnancy support*

32

services" means those nonmedical services that promote

33

childbirth by providing information, counseling, and support

34

services that assist pregnant women or women who believe they

35

may be pregnant to choose childbirth and to make informed

1 decisions regarding the choice of adoption or parenting with
2 respect to their children.

3 2. The program may provide and support all of the following
4 pregnancy support services:

5 a. Nutritional services and education.

6 b. Housing, education, and employment assistance during
7 pregnancy and up to one year following a birth.

8 c. Adoption education, planning, and services.

9 d. Child care assistance if necessary for a pregnant woman
10 to receive pregnancy support services.

11 e. Parenting education and support services for up to one
12 year following a child's birth.

13 f. Material items which are supportive of pregnancy and
14 childbirth including but not limited to cribs, car seats,
15 clothing, diapers, formula, or other safety devices.

16 g. Information regarding health care benefits, including but
17 not limited to available Medicaid coverage for pregnancy care
18 and health care coverage for a child following birth.

19 h. A call center for information or to schedule
20 appointments.

21 i. Medical information and referrals for medical care,
22 including but not limited to pregnancy tests, sexually
23 transmitted infection tests, other health screenings,
24 ultrasound services, prenatal care, and birth classes and
25 planning.

26 j. Counseling, mentoring, educational information, and
27 classes relating to pregnancy, parenting, adoption, life
28 skills, and employment readiness.

29 3. The department of human services shall issue a request
30 for proposals to select a program administrator for the
31 program. A program administrator shall meet all of the
32 following requirements:

33 a. Be a nonprofit entity incorporated in this state with a
34 tax-exempt status pursuant to section 501(c)(3) of the Internal
35 Revenue Code.

1 *b.* Have systems and processes in place that have been used
2 for at least three years to successfully manage a statewide
3 network of subcontractors providing pregnancy support services.

4 *c.* Have a commitment to promoting healthy pregnancies and
5 childbirth instead of abortion as a fundamental part of the
6 program administrator's mission.

7 *d.* Create and maintain a network of subcontractors to
8 provide pregnancy support services.

9 *e.* Maintain records for each subcontractor.

10 *f.* Monitor compliance with the terms and conditions of a
11 subcontractor.

12 4. A subcontractor providing pregnancy support services
13 under the program shall meet all of the following requirements:

14 *a.* Be a nonprofit organization incorporated in this state
15 with a tax-exempt status pursuant to section 501(c)(3) of the
16 Internal Revenue Code.

17 *b.* Have a minimum of one year of operational experience in
18 either providing core pregnancy support services or managing
19 a network of providers of pregnancy support services as a
20 subcontractor.

21 *c.* Have a primary mission of promoting healthy pregnancies
22 and childbirth instead of abortion.

23 *d.* Have a system of financial accountability consistent with
24 generally accepted accounting principles, including an annual
25 budget.

26 *e.* Have a board that hires and supervises a director who
27 manages the organization's operations.

28 *f.* Offer, at a minimum, counseling for women who are or may
29 be experiencing unplanned pregnancies.

30 *g.* Provide confidential and free pregnancy support and other
31 program services.

32 *h.* Provide each pregnant woman with accurate information
33 on the developmental characteristics of unborn children and
34 babies.

35 *i.* Ensure that program funds are not used to provide

1 or refer pregnant women for terminations of pregnancy, or
2 to encourage or affirmatively counsel a pregnant woman to
3 terminate a pregnancy unless the pregnant woman's attending
4 physician confirms the termination of pregnancy is medically
5 necessary to prevent the pregnant woman's death.

6 *j.* Maintain confidentiality of all data, files, and records
7 related to the program services provided to persons accessing
8 program services in compliance with state and federal laws.

9 5. The department of human services shall publish the
10 program administrator and subcontractor criteria on the
11 department's internet site.

12 6. The department of human services shall adopt rules
13 pursuant to chapter 17A to administer the program, and shall
14 provide technical assistance to the program administrator,
15 monitor the program administrator for adherence to state and
16 federal requirements, and collect and maintain program data.

17 7. Beginning October 1, 2023, and on or before October
18 1 annually thereafter, the department of human services
19 shall submit to the general assembly the following program
20 information relative to the prior fiscal year:

21 *a.* The total number of subcontractors by geographical region
22 and the total number of unduplicated clients served by each
23 subcontractor by gender and age.

24 *b.* A description of outreach efforts by the administrator,
25 subcontractors, and the department.

26 *c.* Total program expenditures.

27 *d.* The amounts attributable to the administrator contract
28 and to each contract with the subcontractors.

29 *e.* The outcomes based on outcome measures included in the
30 contracts with the administrator and each subcontractor.

31 Sec. 68. MEDICAID POSTPARTUM COVERAGE — REPORT. The
32 department of human services shall review data regarding
33 the postpartum coverage available to recipients of
34 pregnancy-related Medicaid coverage and shall submit a report
35 to the general assembly by December 15, 2022, that includes

1 the number of recipients of postpartum services, the services
2 utilized, and the costs of such services for the period
3 beginning January 1, 2020, through June 30, 2022, as well as
4 information regarding the number of states that have expanded
5 Medicaid postpartum coverage beyond sixty days, such states'
6 postpartum coverage expansion period, the amount of cost
7 savings realized by the states that expanded coverage to twelve
8 months postpartum, and whether a state expanded coverage
9 pursuant to a Medicaid waiver or a state plan amendment.

10 DIVISION XVIII

11 MENTAL HEALTH AND DISABILITY SERVICES REGIONS

12 Sec. 69. Section 331.389, Code 2022, is amended to read as
13 follows:

14 **331.389 Mental health and disability services regions —**
15 **criteria.**

16 1. ~~a.~~ Local access to mental health and disability services
17 ~~for adults~~ shall be provided either by counties organized
18 into a regional service system or by individual counties that
19 are exempted as provided by ~~this subsection~~. The department
20 of human services shall encourage counties to enter into
21 a regional system when the regional approach is likely to
22 increase the availability of services to residents of the state
23 who need the services comprised of mental health and disability
24 services regions approved by the director of the department.
25 It is the intent of the general assembly that the adult
26 residents of this state should have access to needed mental
27 health and disability services regardless of the location of
28 their residence.

29 ~~b.~~ If a county has been exempted prior to July 1, 2014, from
30 the requirement to enter into a regional service system, the
31 county and the county's board of supervisors shall fulfill all
32 requirements and be eligible as a region under ~~this chapter~~ and
33 ~~chapters 222, 225, 225C, 226, 227, 229, and 230~~ for a regional
34 service system, regional service system management plan,
35 regional governing board, and regional administrator, and any

1 ~~other provisions applicable to a region of counties providing~~
2 ~~local mental health and disability services. Additionally, a~~
3 ~~county exempted under this subsection shall be considered a~~
4 ~~region for purposes of chapter 426B.~~

5 2. The director of human services shall approve any a region
6 meeting the requirements of subsection 3.

7 3. Each county in the state shall participate in an
8 approved mental health and disability services region, ~~unless~~
9 ~~exempted pursuant to subsection 1~~. A region exempted from
10 the requirement to form a multicounty region prior to July 1,
11 2014, shall adhere to and fulfill all of the requirements of a
12 multicounty region. A mental health and disability services
13 region shall comply with all of the following requirements, as
14 applicable:

15 a. The counties comprising the a multicounty region are
16 contiguous.

17 b. The A multicounty region has at least three counties.

18 c. ~~The region has the capacity to provide~~ provides
19 required core services and perform performs all other required
20 functions.

21 d. At least one community mental health center or a
22 federally qualified health center with providers qualified
23 to provide psychiatric services, either directly or through
24 contractual arrangements with mental health professionals
25 qualified to provide psychiatric services, is located within
26 the region, has the capacity to provide outpatient services for
27 the region, and is ~~either under contract with the region or has~~
28 ~~provided documentation of intent to contract with the region~~
29 ~~to provide the services~~.

30 e. A hospital with an inpatient psychiatric unit or a state
31 mental health institute is located in or within reasonably
32 close proximity to the region, has the capability to provide
33 inpatient services for the region, and is ~~either under contract~~
34 ~~with the region or has provided documentation of intent to~~
35 ~~contract with the region to provide the services~~.

1 f. The regional administrator structure ~~proposed for~~
2 ~~or~~ utilized by the region has demonstrates clear lines of
3 accountability and the regional administrator functions as a
4 lead agency utilizing ~~shared county staff or other~~ appropriate
5 means of limiting administrative costs.

6 4. ~~County formation of a~~ A mental health and disability
7 services region is subject to all of the following:

8 a. ~~On or before April 1, 2013, counties voluntarily~~
9 ~~participating in a~~ The approved region ~~have complied shall~~
10 comply with all of the following ~~formation~~ criteria:

11 (1) ~~The~~ Any counties ~~forming~~ comprising the region have
12 ~~been shall be~~ identified and the ~~board of supervisors of the~~
13 ~~counties have approved a written letter of intent to join~~
14 ~~together to form the region.~~

15 (2) (a) ~~The proposed~~ region complies with the requirements
16 in subsection 3.

17 ~~(3)~~ (b) ~~The department provides shall provide~~ written
18 notice to the ~~boards of supervisors of the counties identified~~
19 ~~for the region in the letter of intent~~ a region's regional
20 administrator that the ~~counties have complied~~ region is in
21 compliance with the requirements in subsection 3.

22 b. ~~Upon the department's determination that a region is in~~
23 ~~compliance with the provisions of paragraph "a" requirements of~~
24 subsection 3, the participating counties are region shall be
25 eligible for technical assistance provided by the department.

26 c. ~~The department shall work with any county that has not~~
27 ~~agreed to be part of a region in accordance with paragraph~~
28 ~~"a" and with the regions forming around the county to resolve~~
29 ~~issues preventing the county from joining a region. In~~
30 addition to the regional governance agreement requirements
31 in section 331.392, the department may compel the county and
32 region to engage in mediation for resolution of a dispute.
33 The costs incurred for mediation shall be paid by the county
34 and the region in dispute according to their governance
35 agreement. ~~A county that has not agreed to be part of a~~

1 ~~region in accordance with paragraph "a" shall be assigned by~~
2 ~~the department to a region, unless exempted prior to July 1,~~
3 ~~2014. A county assigned by the department to a region shall~~
4 ~~be included in that region's amended governance agreement~~
5 ~~pursuant to this section as of an effective date designated by~~
6 ~~the department. The assigned county and region shall operate~~
7 ~~according to the region's existing governance agreement until~~
8 ~~the regional governance agreement is amended.~~

9 d. (1) On or before December 31, 2013, all counties shall
10 be part of a region that is in compliance with the provisions
11 of paragraph "a" other than meeting the April 1, 2013, date. If
12 the department withdraws approval for a region, or if a county
13 is not approved by the department as a single county region and
14 otherwise not assigned to a region, the department may assign
15 the county or counties no longer assigned to an approved region
16 to an approved region.

17 (2) An approved region that has a county assigned to the
18 region pursuant to subparagraph (1) shall amend the region's
19 existing governance agreement to include the assigned county.
20 The amended governance agreement shall include an effective
21 date designated by the department.

22 (3) A county assigned to a region by the department pursuant
23 to subparagraph (1) shall operate according to the governance
24 agreement in existence at the time the county was assigned to
25 the region until the region's amended governance agreement
26 created pursuant to subparagraph (2) becomes effective.

27 ~~e. On or before June 30, 2014, unless exempted prior to July~~
28 ~~1, 2014, all counties~~ A region shall be in compliance with all
29 of the following ~~mental health and disability services region~~
30 ~~implementation~~ criteria:

31 (1) The board of supervisors of each county participating
32 in ~~the~~ a multicounty region has voted to approve a chapter 28E
33 agreement.

34 (2) The duly authorized representatives of all the counties
35 participating in ~~the~~ a multicounty region have signed the

1 chapter 28E agreement that is in compliance with section
2 331.390.

3 (3) ~~The county board of supervisors' or supervisors'~~
4 ~~designee members and other members~~ of the region's governing
5 board have been appointed in accordance with [section 331.390](#).

6 (4) Executive staff for the region's regional administrator
7 have been identified ~~or engaged~~.

8 (5) ~~An initial draft of a~~ A regional service management
9 ~~transition plan~~ has been developed which identifies ~~the steps~~
10 ~~to be taken by the region to do~~ all of the following:

11 (a) ~~Designate local~~ Local access points for the disability
12 services administered by the region.

13 (b) ~~Designate the~~ The region's targeted case manager
14 providers funded by the medical assistance program.

15 (c) ~~Identify the~~ The service provider network for the
16 region.

17 (d) ~~Define the~~ The service access and service authorization
18 process ~~to be utilized for~~ by the region.

19 (e) ~~Identify the~~ The information technology and data
20 management capacity ~~to be employed to support regional~~
21 functions.

22 (f) ~~Establish business~~ Business functions, funds accounting
23 procedures, and other administrative processes.

24 (g) ~~Comply with data~~ Data reporting and other information
25 technology requirements identified by the department.

26 (6) The department has approved the region's [chapter 28E](#)
27 agreement and ~~the initial draft of the regional management~~
28 ~~transition plan unless the county was exempted from the~~
29 requirements of subparagraph (1) prior to July 1, 2014.

30 (7) The department has approved the region's regional
31 management plan.

32 ~~f. If the department, in consultation with the state~~
33 ~~commission, determines that a region is in substantial~~
34 ~~compliance with the implementation criteria in paragraph "e"~~
35 ~~and has sufficient operating capacity to begin operations, the~~

1 ~~region may commence partial or full operations prior to July~~
2 ~~2014.~~

3 5. *a.* If the department determines that a region ~~or an~~
4 ~~exempted county~~ is not adequately fulfilling the requirements
5 under [this chapter](#) for a regional service system, the
6 department shall address the region ~~or county~~ in the following
7 order:

8 (1) Require compliance with a corrective action plan.

9 (2) Reduce the amount of the annual state funding provided
10 for the regional service system ~~or exempted county~~, including
11 amounts received under [section 225C.7A](#), not to exceed fifteen
12 percent of the amount.

13 (3) Withdraw approval for the region ~~or for the county~~
14 ~~exemption, as applicable.~~

15 *b.* The department shall rely on all information available,
16 including annual audits submitted under [section 331.391](#),
17 regional governance agreements submitted under [section 331.392](#),
18 and annual service and budget plans submitted under section
19 331.393 in determining whether a region ~~or an exempted county~~
20 is adequately fulfilling the requirements for a regional
21 service system. The department may request and review
22 financial documents, contracts, and other audits, and may
23 perform on-site reviews and interviews to gather information.

24 Sec. 70. Section 331.390, subsection 1, Code 2022, is
25 amended to read as follows:

26 1. *a.* The counties comprising a mental health and
27 disability services region shall enter into an agreement under
28 chapter 28E to form a regional administrator under the control
29 of a governing board to function on behalf of those counties.

30 *b.* A region exempted from the requirement to enter into
31 a chapter 28E agreement prior to July 1, 2014, shall submit
32 written documents demonstrating that the region has formed a
33 regional administrator under the control of a governing board
34 to function on behalf of that region and otherwise comply with
35 the requirements of this section.

1 Sec. 71. Section 331.391, subsection 1, Code 2022, is
2 amended to read as follows:

3 1. The funding under the control of the governing board
4 shall be maintained in a combined account. A county exempted
5 ~~under [section 331.389, subsection 1](#)~~ from joining a multicounty
6 region prior to July 1, 2014, shall maintain a county mental
7 health and disability services fund for the deposit of funding
8 received under [section 225C.7A](#) and appropriations specifically
9 authorized to be made from the county mental health and
10 disability services fund shall not be made from any other fund
11 of the county. A county mental health and disability services
12 fund established by an exempt county, to the extent feasible,
13 shall be considered to be the same as a region combined account
14 and shall be subject to the same requirements as a region's
15 combined account.

16 Sec. 72. Section 331.392, subsection 1, Code 2022, is
17 amended to read as follows:

18 1. a. In addition to compliance with the applicable
19 provisions of [chapter 28E](#), the [chapter 28E](#) agreement entered
20 into by the counties comprising a mental health and disability
21 services region in forming the regional administrator to
22 function on behalf of the counties shall comply with the
23 requirements of [this section](#).

24 b. Documents submitted by a region exempted from the
25 requirement to enter into a chapter 28E agreement prior to July
26 1, 2014, pursuant to section 331.390, subsection 1, paragraph
27 "b", shall also demonstrate compliance with the requirements of
28 this section.

29 Sec. 73. Section 331.393, subsection 1, Code 2022, is
30 amended to read as follows:

31 1. a. The mental health and disability services provided
32 by counties operating as a region shall be delivered in
33 accordance with a regional service system management plan
34 approved by the region's governing board and implemented by the
35 regional administrator in accordance with [this section](#). The

1 requirements for a regional service system management plan and
2 plan format shall be specified in rule adopted by the state
3 commission pursuant to a recommendation made by the department.
4 A regional management plan shall include an annual service and
5 budget plan, a policies and procedures manual, and an annual
6 report. ~~Each region's initial plan shall be submitted to the~~
7 ~~department by April 1, 2014.~~

8 b. A region, regardless of whether the region is a
9 single county or multicounty region, shall comply with all
10 requirements of this section.

11 Sec. 74. Section 331.393, subsection 6, Code 2022, is
12 amended by striking the subsection.

13 Sec. 75. Section 331.910, subsection 2, paragraph d, Code
14 2022, is amended to read as follows:

15 *d.* "Region" means a mental health and disability services
16 region formed in accordance with [section 331.389](#) ~~or a county~~
17 ~~that has been exempted by the director of human services from~~
18 ~~being required to be a part of a mental health and disability~~
19 ~~services region in accordance with [section 331.389](#).~~

20 DIVISION XIX

21 HEALTH CARRIERS — TELEHEALTH

22 Sec. 76. Section 514C.34, subsection 3, Code 2022, is
23 amended to read as follows:

24 3. a. Health care services that are delivered by telehealth
25 must be appropriate and delivered in accordance with applicable
26 law and generally accepted health care practices and standards
27 prevailing at the time the health care services are provided,
28 including all rules adopted by the appropriate professional
29 licensing board, pursuant to [chapter 147](#), having oversight
30 of the health care professional providing the health care
31 services.

32 b. A health carrier shall not exclude a health care
33 professional who provides services for mental health
34 conditions, illnesses, injuries, or diseases and who is
35 physically located out-of-state from participating as a

1 provider, via telehealth, under a policy, plan, or contract
2 offered by the health carrier in the state if all of the
3 following requirements are met:

4 (1) The health care professional is licensed in this state
5 by the appropriate professional licensing board and is able
6 to deliver health care services for mental health conditions,
7 illnesses, injuries, or diseases via telehealth in compliance
8 with paragraph "a".

9 (2) The health care professional is able to satisfy the same
10 criteria that the health carrier uses to qualify a health care
11 professional who is located in the state, and who holds the
12 same license as the out-of-state professional, to participate
13 as a provider, via telehealth, under a policy, plan, or
14 contract offered by the health carrier in the state.

15 Sec. 77. EFFECTIVE DATE. This division of this Act, being
16 deemed of immediate importance, takes effect upon enactment.

17 Sec. 78. APPLICABILITY. This division of this Act applies
18 to health carriers that deliver, issue for delivery, continue,
19 or renew a policy, contract, or plan in this state on or after
20 the effective date of this Act.

21 DIVISION XX

22 NURSING FACILITY CONSTRUCTION OR EXPANSION RELIEF

23 Sec. 79. Section 249K.2, subsection 4, Code 2022, is amended
24 to read as follows:

25 4. "*Major renovations*" means construction or facility
26 improvements to a nursing facility in which the total amount
27 expended exceeds ~~one million five~~ seven hundred fifty thousand
28 dollars.

29 Sec. 80. Section 249K.5, subsection 2, Code 2022, is amended
30 by adding the following new paragraph:

31 NEW PARAGRAPH. c. The nursing facility for which relief
32 or an exception is requested is proposing replacement or
33 enhancement of an HVAC, as defined in section 105.2, system for
34 improved infection control.

35 Sec. 81. ADMINISTRATIVE RULES — ADOPTION AND

1 AMENDMENT. The department of human services shall adopt or
2 amend rules pursuant to chapter 17A to administer this division
3 of this Act. Specifically, the department shall amend rules
4 relating to nursing facility additional requirements for all
5 requests for the capital cost per diem instant relief add-on
6 and enhanced nondirect care rate component limit to provide
7 that with regard to the additional requirements a nursing
8 facility must meet, the facility has Medicaid utilization at
9 or above forty percent for the two-month period before the
10 request for additional reimbursement is submitted. Medicaid
11 utilization for this purpose is calculated as total nursing
12 facility Medicaid patient days divided by total in-house
13 patient days as reported on the facility's most current
14 financial and statistical report.

15 DIVISION XXI

16 PSYCHIATRY RESIDENCY PROGRAM

17 Sec. 82. NEW SECTION. 135.180 State-funded psychiatry
18 residency program — fund — appropriations.

19 1. The university of Iowa hospitals and clinics shall
20 administer a state-funded psychiatry residency program
21 in cooperation with the state mental health institutes at
22 Independence and Cherokee, the state resource center at
23 Woodward, the state training school at Eldora, and the Iowa
24 medical and classification center at Oakdale. The university
25 of Iowa hospitals and clinics shall expand the psychiatry
26 residency program to provide additional residency positions
27 by providing financial support for residency positions
28 which are in excess of the federal residency cap established
29 by the federal Balanced Budget Act of 1997, Pub. L. No.
30 105-33. Participating residents shall complete a portion of
31 their psychiatry training at one of the state mental health
32 institutes, the state resource center, the state training
33 school, or the Iowa medical and classification center at
34 Oakdale. For accreditation-required clinical experiences not
35 available at the state mental health institutes, the state

1 resource center, the state training school, or the Iowa medical
2 and classification center at Oakdale, the psychiatry residency
3 program and its residents may utilize clinical rotations at the
4 university of Iowa hospitals and clinics and its affiliates
5 across the state.

6 2. The university of Iowa hospitals and clinics shall apply
7 to the accreditation council for graduate medical education
8 for approval of twelve additional residency positions for each
9 class of residents and the psychiatry residency program shall
10 award the total number of residency positions approved for each
11 class of residents. Preference in the awarding of residency
12 positions shall be given to candidates who are residents of
13 Iowa, attended and earned an undergraduate degree from an Iowa
14 college or university, or attended and earned a medical degree
15 from a medical school in Iowa.

16 3. A psychiatry residency program fund is created in
17 the state treasury consisting of the moneys appropriated or
18 credited to the fund by law. Notwithstanding section 8.33,
19 moneys in the fund at the end of each fiscal year shall not
20 revert to any other fund but shall remain in the psychiatry
21 residency program fund for use in subsequent fiscal years.
22 Moneys in the fund are appropriated to the university of Iowa
23 hospitals and clinics to be used for the purposes of the
24 program. For the fiscal years beginning on or after July 1,
25 2023, there is appropriated from the general fund of the state
26 to the psychiatry residency program fund one hundred thousand
27 dollars for each residency position approved and awarded under
28 the program.>

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